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No. 131

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

Washington, DC, September 23, 2003.

I hereby appoint the Honorable ROB BISHOP of Utah to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3. An act to prohibit the procedure commonly known as partial-birth abortion.

The message also announced that under the authority of the Order of July 30, 2003, the Senate disagrees to the amendment of the House to the bill (S. 3) "An Act to prohibit the procedure commonly known as partial-birth abortion", agree to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATCH, Mr. DEWINE, Mr. SANTORUM, Mrs. FEINSTEIN and Mrs. BOXER, to be the conferees on the part of the Senate.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member,

except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

REPEALING THE TAX ON THE DEATH GRATUITY

Mr. JONES of North Carolina. Mr. Speaker, this is a very important issue that I bring to the floor. As you can see behind me, these are the faces of just a few of the men and women who have died for this country, both in Afghanistan and Iraq. I bring this to the floor because last year I introduced a bill to repeal the tax on the death gratuity.

The death gratuity, Mr. Speaker, is a "thank you," if you will, not enough, but it is a check that is given to the families of those who have given loved ones in uniform that have died for this country. I want to say to the leadership on both sides that last year you did, and I thank both sides, put the language from that bill into a larger bill to bring tax relief to our men and women in uniform, but the other body did not pass the bill.

This year, I put the bill back in as H.R. 693, to repeal the tax on the death gratuity. It was put into a larger bill known as the Military Tax Fairness Act, supported by both sides, sent to the other body, known as the Senate, and they still have not moved that bill. So I am coming to the floor as much as possible to ask the leadership on the House side, both Republican and Democrat, to please bring up as a stand-alone bill, H.R. 693.

Mr. Speaker, I wanted to show you another photograph. This is a young fellow whose father was killed in Iraq. His name is Tyler Jordan. His father was a Gunnery Sergeant killed while fighting for freedom in Iraq. Mr. Speaker, I bring this to the floor because this next year, his mother will receive a tax bill from Uncle Sam.

Mr. Speaker, how much does a family have to give? It gives a loved one, who has died for freedom, to protect the American people. Why can we not, as a Congress, send to the President, before we leave in November, a bill to say that we are going to repeal the tax on the death gratuity?

Mr. Speaker, I hope that the leadership on the House side, both Republican and Democrat, will join me in bringing this bill to the floor as a stand-alone bill, and let us send it to the other body and ask them to please look into their own hearts and pass that legislation and send it to the President. No family that has given a loved one, and in many cases a child, a father, a husband, should be asked next year by Uncle Sam to pay a tax on that gift.

So, with that, Mr. Speaker, I am going to close, as I do all over my district, the Third District of North Carolina, the home of Camp Lejeune Marine Base, Cherry Point Marine Corps Air Station and Seymour Johnson Air Force Base.

Mr. Speaker, I ask God to please bless the men and women in uniform; I ask God to please bless the families of the men and women in uniform; I ask God to please hold the families who have lost loved ones in His loving arms. I ask God to please bless the House and Senate, that we will do what is right in the eyes of the Lord; and I ask God to please bless the President of the United States, that will he have courage and wisdom to what is right for this Nation, today and tomorrow.

Mr. Speaker, I close three times by asking God, God please, God please, God please continue to bless America.

THE COST OF THE IRAQ WAR AND OCCUPATION

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Ohio

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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(Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, a study released by the House Committee on the Budget staff concludes that the cost of the Iraq war and the Iraq occupation could easily reach \$417 billion over the next decade. That is \$17 billion more than the President has proposed for a prescription drug benefit for our seniors. The report says the best-case scenario would cost taxpayers only \$308 billion. Deputy Defense Secretary Wolfowitz said recently, "No one I know of would ever say that this war is cheap."

That, Mr. Speaker, contradicts what everyone in the Bush administration was saying before the war. Budget Director Mitch Daniels said Iraq would be "an affordable endeavor" that "will not require sustained aid." Top White House Economist Glen Hubbard said back then before the war, the "costs of any such intervention would be very small." And another White House aid, Larry Lindsey, was fired after he said it would cost \$100 billion to \$200 billion.

The report details how the President's request allocates \$157 per Iraqi for sewage improvements, while the President's budget has only \$14 per American for sewer improvements. This is U.S. tax dollars. The administration is devoting \$38 per Iraqi for hospitals, compared with \$3.30 per American.

The President is seeking \$5.7 billion to rebuild and expand Iraq's electricity generation, transmission and distribution systems, just as millions of Americans are regaining power lost due to Hurricane Isabel, and Congress continues to deal with the fallout from the August blackout in my part of the country and in the Northeast.

The President's request would send over 350 times more per person, \$255 per Iraqi, compared to 71 cents per U.S. citizen on electric power rehabilitation.

The President wants \$856 million to upgrade Iraqi airports, seaports, railways and communication systems. Another \$470 million would go towards repairing roads, bridges and houses in Iraq and rehabilitating Iraqi government buildings.

The fine print of the President's request shows how far U.S. expenditures are going overseas and how the Bush administration, frankly, misled us before the war when he said this could be done on the cheap.

In Iraq, \$875 million is earmarked to restore drained marshlands, while at home the administration wants to hold wetland conservation programs to last year's level at \$100 million, one-eighth as much.

We have a duty, to be sure, to help the people of Iraq and Afghanistan as they rebuild their countries, but not at the expense of our own. I urge my colleagues to support H.R. 1738, the Iraqi Parity Act, a bill to require the U.S. Government to pay for infrastructure and social service needs for the 50 U.S. States in the same amount as the

amount of relief and reconstruction funds provided to Iraq. State and local governments in the United States deserve, at a minimum, the same level of Federal involvement to address infrastructure and social service shortfalls as the amount of relief and reconstruction funds provided to Iraq.

What I am hearing from my constituents, and I have come to this floor day after day reading letters from constituents about their concern about our entry into the war and the aftermath of that war and how the administration may not have told us everything, it may not have told us the truth in how this Congress, this Republican leadership in this Congress, has failed and refused to investigate these expenditures and failed to and refused to investigate many of the other issues around the Iraq war.

But what I am hearing from my constituents in these letters is the U.S. cannot go it alone in Iraq. My constituents are uncomfortable with the huge price tag for reconstruction; my constituents do not feel their tax dollars should bear the entire burden of reconstruction in Iraq; my constituents do not feel our troops should bear the entire burden of protecting Iraq; and, most of all, my constituents are concerned that the administration is simply not doing enough to ensure the safety of our men and women in the Armed Forces.

Mr. Speaker, this is a serious issue that this Congress needs to debate. We need answers. We need the Bush administration to tell us what their plans are. How long we are going to be in Iraq? How we are going to rebuild that country? How much it is going to cost, and when we are going to withdraw from that country?

SERIOUSNESS IN THE SPOTLIGHT

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Texas (Mr. DELAY) is recognized.

Mr. DELAY. Mr. Speaker, I just would like to start by saying that Franklin Delano Roosevelt, in fighting World War II, did not tell the American people how long it was going to take or what it was going to cost; all he told them was that we were going to win.

Ronald Reagan did not tell the American people how long it would take or what it would cost to defeat communism; he just told the American people we were going to win.

This week, two items on the agenda will give Members of both parties the opportunity to show the American people just how serious they are about winning the war on terror. In the coming days, we will hold hearings on the President's supplemental spending request for military and democracy-building operations in Afghanistan and Iraq.

And also this week, the House will likely debate the conference report on the Homeland Security spending bill.

Since September 11, some have tried to split homeland security from national security, as if they were two separate issues. But the war on terror cannot be won if we employ such flawed logic. Homeland security and national security are one and the same, and only by accepting this fundamental fact can we hope to defeat terrorism.

Whether we like it or not, we have to fight this war on terror. Our choice is whether to fight it in the streets of Baghdad, or in the streets of Brooklyn.

Critics of the President's policy suggest that spending billions on civil defense without aggressively fighting the terrorists everywhere they live and plan will, in and of itself, make America safer. But in this war, with an enemy that acknowledges no rules of engagement, we should not have to rely on responding to their actions; they should be responding to ours. And today in Afghanistan and Iraq, they are.

Here at home, the President's comprehensive security policy has made America a safer and better prepared Nation than ever before. Our intelligence and law enforcement communities foil terrorist plots every month. Our enemies, those here and around the world, are on the run, killed or captured, hiding in caves, or sitting in cells.

And the comprehensive security policy of the Bush doctrine is the reason for our success in the war on terror and our only hope for seeing that war through to ultimate victory.

If the President's critics do not like this policy, then it is time for them to either propose their own or get out of the way.

□ 1245

In the hearings and debate, the President's critics once and for all will finally reveal either alternative war policy or their basic unfitness for wartime leadership.

THE STATE OF THE ECONOMY

The SPEAKER pro tempore (Mr. BISHOP of Utah). Pursuant to the order of the House of January 7, 2003, the gentleman from Texas (Mr. GREEN) is recognized during morning hour debates for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I rise today to talk about the state of our ailing economy. The administration recently announced that it is requesting \$87 billion from Congress to fund the war and rebuild Afghanistan and Iraq's infrastructure and the economy. This is in addition to the \$79 billion that Congress made available for these efforts last spring.

Mr. Speaker, I do not have any problem with fighting the war against terrorism, whether it is in Iraq or in Afghanistan, but I am wondering where the funding is to rebuild our own economy.

Just put this \$87 billion in context for those in the Chamber and for our

constituents at home, \$87 billion is more than our government spends on any domestic agency, with the exception of the Department of Defense and the Department of Health and Human Services. With this request, we will spend more rebuilding Iraq than we will spend rebuilding crumbling American roads and bridges. We will spend more in Iraq than we spend on rebuilding outdated schools where our children are educated. In fact, we will spend more rebuilding Iraq than President Lyndon Johnson spent to fund the entire Federal Government in his first year in office, and that was the first year of our Great Society. My colleagues on the Republican side talk about how bad it was; well, we are actually spending more in Iraq than we were in the first year of the Great Society.

While this administration is focused like a laser beam on Iraq, and I agree with some of that, we are falling asleep at the wheel while driving our economy. Quite frankly, our economy is swerving and is heading for a wreck. If you have lost your job or cashed your last unemployment check, you already know you are in a wreck.

Mr. Speaker, we have presided over the largest fiscal reversal in history by turning a \$5.6 trillion surplus into a \$3.3 trillion deficit. Under this administration's economic leadership, 3.2 million Americans have lost their jobs, and these jobs will not return, if you read the business sections of our major dailies. The gross domestic product growth has averaged 1.6 percent, and real business investment has fallen to 10.4 percent.

Now, if we show these figures to the administration, we will hear their cries of recession and economic swings. Well, this country has weathered recessions before, but these figures do not represent just any recession. These figures represent the worst economic conditions since the Great Depression. That is right, the worst economic conditions since the Great Depression.

This administration has the worst economic record since Herbert Hoover presided over the Great Depression. And as much as this administration hates to admit it, tax cuts are not the answer to every economic problem. Oh, they promised us that cutting taxes would ease the burden on businesses and pave the way for job creation. Well, since the President took office, we have had three major tax cuts and lost 3.2 million jobs. That is over a million jobs lost for each tax cut. And this Congress, by the way, enacted those tax cuts.

This country has already lost 437,000 jobs this year, raising our unemployment levels to 6.1 percent. Factory employment in this country has declined in every single month for the last 3 years. In fact, of the 3.2 million jobs lost under this administration, 2.7 of them are manufacturing jobs. And over 150,000 of those manufacturing jobs come from my home State of Texas.

Mr. Speaker, I have the distinct honor of representing the 29th District of Texas, and it is the third most blue-collar district in the country, according to the last census. These good-paying jobs belonged to my constituents and provided them with a livable wage and a good chance to achieve the American dream. In 1950, manufacturing jobs represented one-third of our country's labor market. Today they represent one-tenth. Part of this country's economic problem is it does not make anything anymore. It is great to be the information economy, but it is not great if you do not have anything to have any information about. Our push for free trade has pushed our products and our jobs right out of this country.

Mr. Speaker, I am proud to represent the Port of Houston, the second largest port in our country. The port has been an economic boon for both the city of Houston and Texas and our region. But for the sake of our country, I just wish those ships going out of the port were as full as when they come in.

Mr. Speaker, our country is in a dire economic situation. It does not take too much to go out and listen to our constituents to know that. Like my colleagues, I listened intently when the President recently talked about the need for unity and sacrifice, and I think he is right. But our country's economy and unemployed workers have sacrificed enough. It is high time that this administration made some sacrifices and the tough decisions necessary to start putting this country and all of our people first.

AMERICAN EFFORTS TO HELP IRAQIS

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I have some good news after that speech. As we talk about Iraq and how to fund our efforts over there, I do not think we should forget the amazing deeds that our troops are doing every day. Major combat has ended, and there are still terrorists at work in the country, but a powerful tyrannical regime has fallen, and, of course, it will take time and concerted efforts before democracy can grow from the ash and rubble of 35 years of Saddam Hussein.

Far from the headlines about the United States' military mission in Iraq, American GIs are daily making contributions to help mend Iraq both from the ravages of combat, but also from a decade of neglect, as I say, under Saddam Hussein. From the rebuilding of the hospitals to the delivery of school supplies and care packages, our troops have personally organized over 5,000 different humanitarian projects while, also, at the same time, trying to secure the security for Iraq. Slowly but surely change is coming to

the people of Iraq, and it is the United States who is delivering that change, and someday, I believe, the world will realize this.

Mr. Speaker, I would like to take this opportunity to detail a sampling, just a small sampling, but a few examples of projects carried out by our U.S. troops recently. For example, a battalion of the Army's 101st Airborne Division is hooking up the folks back home in America with Iraqi villages, organizing, in typical American style, an "adopt-a-village" campaign for sending care packages of school supplies, sports equipment, canned food, and toiletry items. So far, the 426th Forward Support Battalion has signed up the city of Salem, Utah, several Minnesota residents, and a Tennessee car dealership to help two villages. Perhaps others want to help today.

An Army reservist with the 432nd Civil Affairs Battalion from Green Bay, Wisconsin, dreamed up the "Backpacks for Iraq" project which aims to ship 2,000 donated packs filled with school supplies given by people in Wisconsin and elsewhere. So far the soldier has distributed 120 packs with another semitrailer truckload on the way.

The Combined Joint Task Force-Seven started a "Beanies for Baghdad" program which is delivering more than 7,000 stuffed animals and 1,000 classroom school supplies packages to Baghdad neighborhoods and children's hospital wards.

The Army Reserves 171st Area Support Group in Nasiriyah in southern Iraq collected money from the soldiers to buy stoves, refrigerators, fans, televisions, and kitchen tables and chairs for three orphanages which the troops have taken under their wing, in a city where, at the same time, fierce fighting rages daily in that location.

Soldiers from the Army's 490th Civil Affairs Battalion from Abilene, along with others from the 3rd Armored Cavalry Regiment, have rebuilt a school from the ground up in a village outside Ar Ramadi, adding a new roof, a bathroom, water tanks, fans, windows, and chalkboards.

The Naval Coastal Warfare sailors delivered over 200 packages of school supplies after a San Diego church donated \$800 to ship them to poor children in a southern Iraq port city. On their own time, sailors with the Inshore Boat Unit 15 from Corpus Christi, Texas, constructed 16 children-sized picnic tables using just scrap lumber as materials to do this.

Mr. Speaker, Seabees from the Naval Mobile Construction Battalion 4 based in California supervised a wholesale renovation of a girls' high school in southern central Iraq. The school now has freshly painted rooms and new electrical wiring, lighting, ceiling fans, and bathrooms. The \$72,000 needed for the project came from funds that were confiscated from Saddam's Baath Party.

U.S. reservists from a Denver-based combat engineer battalion have adopted a small village in northern Iraq

where, on their own time, they are building a playground and equipment and restoring the irrigation well system.

Army engineers from Fort Lewis, Washington, have resurrected a water treatment plant in Iraq, freeing Iraqis there from the scourge of dysentery. And elsewhere, Mr. Speaker, American troops are volunteering to pick up and fix up orphanages, schools and hospitals, and even kicking in cash from their own pockets to buy refrigerators, stoves, and beds for needy Iraqis.

So it is clear that our troops are doing more for the Iraqi people than was ever asked of them. Out of compassion, character, and a will to do what is right, our men and women abroad will make sure that the job gets done and that change comes finally to these long-forgotten people.

CHANGES NEEDED IN ADMINISTRATION'S POLICY IN IRAQ

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Washington (Mr. McDERMOTT) is recognized during morning hour debates for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, this morning I went out to Walter Reed Hospital again. I went out 2 weeks ago. There are boys still coming home without legs, without eyes, all kinds of casualties. And one cannot help but listen to my colleague from Florida and think how well our troops are doing and what they are doing on behalf of all of us, but to continue to see what is going on at Walter Reed is very sobering.

And everybody who is going to vote for money around here in the next week or so ought to go out to Walter Reed and walk around and talk to some of these people. Talk to the kid I talked to today who was riding in a Humvee that ran over one of these IEDs that implement some kind of explosive device that people just make up by tying a bunch of things together, and he loses a leg and is on a ventilator at Walter Reed. When you see that, you realize that we could do all of these humanitarian projects, and God knows they need them, there is plenty of stuff to do; but until we are able to bring security to that country, we are not going to be really dealing with what affects the Iraqis, nor protects our own people.

Now, I came back from Walter Reed and I sat down in my office and I turned on the television, and there is the President talking at the United Nations. Just like the last talk: We know what is right. You people ought to get behind us. The same tone to the world that we heard before.

The world believes that we all ought to do it together in the United Nations. We ought to make it that way, not the United States charging out and deciding we are going to do it, and you are either for us or against us. That kind

of cowboy mentality did not work, and it has created the mess we have today. There was no hint in anything the President said of acknowledging the foolishness of going to Iraq alone. What he wanted them to do was to say, you are right, you did exactly the right thing, and we were really wrong. We should have endorsed what you were doing from the start. But the world is not going to do that.

The President is going to have to change the tone in which he talks, and, Mr. Speaker, I do not know how we get him to do that.

We are going to have an opportunity with a resolution for \$87 billion.

Now, Mr. Bremmer was over in the Senate yesterday, and he said, we do not anticipate having to ask for any more. Now, this is the war department of Mr. Rumsfeld that did not anticipate that they would need water purification, did not anticipate the need for generators, did not anticipate anything in the way of reconstruction. That is why we are in the mess we are in today.

□ 1300

Everybody knew we were going to win the war. Our troops are the best in the world, but it is how we put it together afterward that is so missing, and the United States cannot do it by itself. We cannot write all the rules and regulations.

Yesterday, the newspaper carried a story that says Iraq is now for sale. The United States has sort of put this thing through this council they have that will allow companies to come in and buy the companies in Iraq and take over. One Iraqi reacted by saying, well, now it is not going to be just the Americans here. The whole world's going to come and take advantage of us in this process.

This war department headed by Mr. Rumsfeld and Mr. Wolfowitz, nobody has changed. They are still talking the same way. These are the people who told us that this would all be over in 3 months; that the Iraqi people would run out and throw their arms around our soldiers; that we would use all that oil money; we would rebuild the country with the oil money. None of it was true, and they knew some of it was not true when the President came here before us. We cannot have a war built on a faulty premise.

Now we are going to have this week the opportunity to look at this \$87 billion. We can just write another blank check for the President, rubber stamp it, give it to him; or we can require that he negotiate with the United Nations.

RECESS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m. today.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, You are pure act, yet ever-still. Give us wisdom to understand the meaning in the parable of the hurricane.

Members of the House of Representatives, as so many Americans, have schedules of demanding motion. The swirl of activity may often leave best efforts shaken and priorities damaged. But may the rushing wind never lift them from the common ground or uproot deepest commitments.

In their combined energy to address America's problems and be good legislators, may the velocity of their actions never leave victims around them. Rather in the midst of the daily hurricane may they find themselves in the hurricane's eye, calmly centered on You, the All-Powerful and Source of Peace now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WHERE DO WE GET SUCH MEN?

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, as he stood on the beaches of Normandy, taking stock of what it cost to invade Europe, then-General Eisenhower asked, "Where do we get such men?" I think he would have asked a similar question last week. As Hurricane Isabel bore down on the east coast, Washington did what it often does: It panicked. We closed up the government and shut down the schools. But a different story was unfolding at Arlington National Cemetery.

That solemn ground is the resting place for 260,000 soldiers. It is a site of the Tomb of the Unknown Soldier, built to honor those who died for our

country, but whose remains were never identified. Members of the 3rd Infantry Regiment stand guard at the Tomb 24 hours a day. They are known as "The Old Guard." When Hurricane Isabel hit the Washington, D.C., area, it packed winds up to 75 miles per hour and torrential rains.

Cemetery officials relieved The Old Guard of their duty until the storm passed, but The Old Guard refused to leave. Staff Sergeant Alfred Lanier said the Tomb is something "we cherish." Sergeant Christopher Holmes said leaving the Tomb is "never an option for us," saying he was prepared to die while guarding it. We can only join with President Eisenhower in asking, "Where do we get such men?"

SUPPORT SUPPLEMENTAL REQUEST FOR IRAQ

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in strong support of our Commander in Chief's supplemental request for the military operations and reconstruction projects in the war on terror. We have won the war in Iraq, and we must continue supporting our troops so we can win the peace.

Media accounts paint a bleak picture of the postwar efforts in Iraq, but I can tell Members some are only reporting the negative. Having just returned last week from a visit to Iraq, I saw firsthand the extraordinary successes our men and women have achieved in bringing relief to the people of Iraq. Schools and hospitals are opening throughout the country, and business areas are filled with traffic and shoppers. Led by General Sanchez, our troops are making progress in the war on terror we must win.

Americans should be proud of our men and women whose sweat and blood have brought freedom and new hope to Iraqis. I urge my colleagues to support President Bush's supplemental request. May God bless our troops.

HONORING STAFF SGT. FREDERICK L. MILLER, JR.

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, the Bible tells us if you owe debts, pay debts; if honor, then honor; if respect, then respect. I rise humbly today to begin to pay a debt of honor and respect to an American hero, Staff Sergeant Frederick L. Miller, Jr., of Hagerstown, Indiana. Staff Sergeant Miller was killed Saturday outside Ramadi in Iraq when a bomb exploded near his Humvee, according to the Department of Defense's information made public yesterday. Staff Sergeant Miller leaves behind a pregnant wife expecting his first son,

two beautiful daughters, grieving parents and a grieving community.

Miller commanded a Bradley Fighting Vehicle assigned to Troop K in the 3rd Squadron of the 3rd Armored Cavalry Regiment based in Fort Carson, Colorado. He joined the Army after graduating from high school, and would have celebrated his 8th year in the service next month. Miller was discharged after his first tour of duty, but he reenlisted after 9/11. His mother said, "It was his purpose to save our country, and he had a job to do." And so he did it, Mr. Speaker.

Staff Sergeant Frederick L. Miller, Jr., is a hero, and he died as heroes do, saving his country. I extend on behalf of the people of eastern Indiana my deepest sympathies and fervent prayers to Staff Sergeant Miller's wife and family as they grieve the death of this heroic American.

HONORING JOE EDWARDS, JR.

(Mr. BURNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURNS. Mr. Speaker, I rise today to honor a constituent from Augusta, Georgia. Joe Edwards, Jr., is an astronaut, an aviator, and a test pilot. He was awarded the United States Navy's only peacetime Distinguished Flying Cross for landing an open-cockpit F-14 Tomcat on his aircraft carrier with a broken arm and a blinded right eye in a feat described as "the most daring feat of flying seen in peacetime or war."

Mr. Edwards has an extensive career centered on military affairs and the execution of foreign policy. While there are many admirable accomplishments of Mr. Edwards, what is arguably the most significant part of his life is that he has taken his expertise and skill to improve the quality of science and mathematics education in America. Mr. Edwards serves as the chairman and CEO of the National Science Center in Augusta, which has a unique partnership with the United States Army. The primary mission of the center is to improve technical literacy and to encourage an interest in math and science careers.

Joe Edwards is a role model for students; Joe Edwards is a role model for us all. He has taken his passion for learning and is encouraging students to enrich their lives.

DEMOCRATS SHOULD DENOUNCE WORDS OF DEAN

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, what some have referred to as the Democrat prancing ponies, others call the Democratic Presidential candidates, the leading candidate, Governor Dean, last week made a completely irresponsible,

if not crazy, lunatic statement when he said that the United States of America should not take sides in the Middle East conflict between the Palestinian Authority and our ally, Israel.

I want Members to think about this. The United States should not take sides in a classic strife of good versus evil. I do not know if he is speaking for the Democratic Party. He is the leading guy, it seems. I do not know what the good general might do to that dynamic amongst the prancing, but I do know this: There is one side which blows up innocent people coming back from the Western Wall praying. There are the wives and the loved ones of those people saying, I am glad that my husband, my son, my daughter died a martyr. We have one side that has repeatedly thrown the peace process off track and broken any peace treaties that were ever negotiated. Clearly, because of this, we have an evil side versus a side that is trying to be part of the world community.

Mr. Speaker, I call on the Democrats of this House to denounce the words of Governor Dean and ask that the United States of America continue to side with our great ally, the nation of Israel.

HONORING THE LIFE OF BRIGADIER GENERAL JOHN H. MCCLAIN

(Ms. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HARRIS. Mr. Speaker, I rise today to honor a lifetime of courage and selflessness. Brigadier General John H. McClain, who passed away early this morning, valiantly served our Nation for nearly 4 decades, both on active duty and as a Reservist.

A native of Pittsburgh, Pennsylvania, General McClain enlisted in the United States Army in 1940. He fought in the Second World War's European Theater, participating in the Battle of the Bulge and in the Relief of Bastogne as a member of General George Patton's Third Army. He also served in the Korean War as senior adviser with the Korean Military Advisory Group.

His induction into the Field Officer Candidate School Hall of Fame in 1976 capped a heavily decorated career that included the Legion of Merit, the Bronze Star Medal, the Europe Theater of Operations Medal with three campaign stars, the World War II Victory Medal, the Korean Service Medal with three campaign stars, and the United Nations Service Medal.

Mr. Speaker, as we offer our prayers and condolences to his beloved wife of 49 years, Patricia Ann, may this American hero's devotion to his country continue to animate our dreams and aspirations as public servants.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING IMPORTANCE AND
CONTRIBUTIONS OF SPORTSMEN
TO AMERICAN SOCIETY

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 362) recognizing the importance and contributions of sportsmen to American society, supporting the traditions and values of sportsmen, and recognizing the many economic benefits associated with outdoor sporting activities.

The Clerk read as follows:

H. RES. 362

Whereas there are more than 38 million sportsmen in the United States;

Whereas these sportsmen, who come from all walks of life, engage in a sport they love, while helping to stimulate the economy, especially in small, rural communities, and contributing to conservation efforts;

Whereas sportsmen demonstrate values of conservation, appreciation of the outdoors, and love of the natural beauty of the United States;

Whereas sporting activities have both physical and mental health benefits that allow Americans to escape from the fast pace of their lives and to spend time with their families and friends;

Whereas sportsmen pass down their love of the outdoors from generation to generation;

Whereas many sportsmen consider hunting, trapping, and fishing of tremendous importance to the American way of life;

Whereas sportsmen have a passion for learning about nature and have a tremendous respect for the game pursued, other sportsmen, the non-hunting populace, and the natural resources upon which they depend;

Whereas the total economic contribution of sportsmen amounts to \$70 billion annually, with a ripple effect amounting to \$179 billion;

Whereas sportsmen contribute \$1.7 billion every year for conservation programs, and these funds constitute a significant portion of on-the-ground wildlife conservation funding;

Whereas anglers support one million jobs and small businesses in communities in every part of the United States, and they purchase \$3.2 billion in basic fishing equipment every year;

Whereas tens of millions of Americans hunt and are a substantial economic force, spending \$21 billion every year;

Whereas a sportsman President, Theodore Roosevelt, established America's first National Wildlife Refuge 100 years ago, and with the committed support of sportsmen over the last century, this system includes more than 540 refuges spanning 95 million acres throughout all 50 States;

Whereas the funds raised from sportsmen through their purchase of Federal migratory

bird hunting and conservation stamps under the Act of March 16, 1934, (commonly known as the Duck Stamp Act, 16 U.S.C. 718a et seq.), are used to purchase and restore vital wetlands in the refuge system;

Whereas the sale of such stamps has raised more than 500 million dollars which has been used to acquire approximately 5 million acres of refuge lands so far;

Whereas, in 1937, Congress passed the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), whereby sportsmen and the firearms and ammunition industries agreed to a self-imposed 10 percent excise tax on ammunition and firearms, the proceeds of which are distributed to the States for wildlife restoration;

Whereas the Pittman-Robertson Wildlife Restoration Act has created a source of permanent funding for State wildlife agencies that has been used to rebuild and expand the ranges of numerous species, including wild turkey, white-tailed deer, pronghorn antelope, wood duck, beaver, black bear, American elk, bison, desert bighorn sheep, bobcat, and mountain lion, and several non-game species, including bald eagles, sea otters, and numerous song birds;

Whereas, in 1950, Congress passed the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) whereby recreational anglers and the fishing and tackle manufacturing industries agreed to a self-imposed 10 percent excise tax on sport fishing equipment (including fishing rods, reels, lines, and hooks, artificial lures, baits and flies, and other fishing supplies and accessories), the proceeds of which are used for the purposes of constructing fish hatcheries, building boat access facilities, promoting fishing, and educating children about aquatic resources and fishing; and

Whereas the Dingell-Johnson Sport Fish Restoration Act was amended in 1984 to extend the excise tax to previously untaxed items of sport fishing equipment and to dedicate a portion of the existing Federal tax on motorboat fuels to such purposes, such that now approximately one-third of all the funds expended by State fish and wildlife agencies for maintenance and development of sports fisheries are collected through the use of this excise tax: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance and contributions of sportsmen to American society;

(2) supports the traditions and values of sportsmen;

(3) supports the many conservation programs implemented by sportsmen;

(4) recognizes the many economic benefits associated with outdoor sporting activities; and

(5) recognizes the importance of encouraging the recruitment of, and teaching the traditions of hunting, trapping, and fishing to, future sportsmen.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to present this bipartisan resolution to recognize the valuable contributions of the 38 million sportsmen in the United States. Hunting, fishing and trapping is woven into the fabric of our cultural heritage. There have been many nota-

ble hunters and fishermen throughout our history, including the father of the National Wildlife System, President Theodore Roosevelt; the founder of the Audubon Society, John James Audubon; and the great literary writer, Ernest Hemingway.

Today's sportsmen contribute more than \$70 billion annually to our economy with a positive ripple effect amounting to \$179 billion. Both hunters and fishermen voluntarily pay Federal excise taxes on guns, rods, reels, ammunition and outdoor equipment. In fact, since 1937, sportsmen have contributed billions of dollars through the Pittman-Robertson Act and the Dingell-Johnson Act for the benefit of all fish and wildlife species.

Mr. Speaker, autumn is rapidly approaching, and soon 28 million Americans will take to the woods and streams to enjoy nature, relax and reaffirm their connection to the land. These sportsmen are the true environmentalists who have sacrificed time, money, and labor to improve habitat throughout the Nation. Let there be no mistake, without fishermen and hunters, there would be no Canadian geese, ducks, striped bass, rainbow trout or wild turkeys because there would be no money to maintain the habitat which is essential to the survival of these species.

□ 1415

All of us have fishermen and hunters in our districts. This resolution is important for them and for the millions who enjoy hiking, bird watching, and wildlife photography. Without the dollars and leadership provided by sportsmen, there would be no fish or wildlife to enjoy.

I want to compliment the sponsors of this resolution, including the gentleman from New York (Mr. WALSH), the gentleman from North Carolina (Mr. HAYES), the gentleman from California (Mr. THOMPSON), the gentleman from Michigan (Mr. DINGELL), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Alaska (Mr. YOUNG), and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) for their leadership on behalf of sportsmen in this country. This resolution, which has been endorsed by 44 hunting and conservation groups, will recognize the importance of sportsmen, conservation programs, outdoor sporting activities, and the importance of teaching the traditions of hunting and fishing.

I urge an "aye" vote on House Resolution 362.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, as stated by my colleague, the previous speaker, this noncontroversial resolution would recognize the importance

and contribution of sportsmen to the American economy and our traditional values.

Mr. Speaker, there is little doubt that hunting and fishing remain popular recreational pastimes for millions of Americans. These activities remain as much a fabric of American culture as the village green in New England or the county fair in Nebraska.

According to the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, expenditures by sportsmen in 2001 totaled \$70 billion. By any measure, this is a significant figure. It demonstrates the substantial economic importance of these traditional forms of outdoor recreation to our national economy, but most especially to our rural economy.

I support this resolution and urge other Members to do likewise. However, I also consider it important to note that other types of nonconsumptive wildlife-based recreation, activities such as bird watching and wildlife photography, also provide significant economic benefits that we would be remiss to overlook.

According to National Survey data, these activities contributed an additional \$38.4 billion to the economy in the same year. In fact, over 66 million people enjoyed these activities, almost double the number of sportsmen who only hunt or fish.

In passing this resolution, I hope that the economic and social contributions of these other people who enjoy our Nation's abundant wildlife diversity will also not be forgotten.

Mr. Speaker, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I thank the distinguished gentleman from New Mexico for the leadership that he has provided on this important committee and on this resolution.

I rise today in support of House Resolution 362, a bill that I sponsored with many, many of my colleagues. There is tremendous interest in the Congress in sporting issues; and we have a broad caucus of Members, I believe, from every State and territory. This resolution expresses this body's support for millions of Americans who partake in sportsman activities.

With fall in the air, some of the best hunting and fishing days of the year are just around the corner. As this Saturday, September 27, is recognized as National Hunting and Fishing Day, there is no better time to honor the American sportsman and -woman.

Sporting activities provide families with an escape from the fast-paced life of modern society. Through outdoor activities, parents and children are able to spend quality time together, and time-honored traditions are passed on from generation to generation. Some of my fondest memories were spent growing up with my family hunting and fishing in the Finger Lakes region of

New York. I still am involved in both of those but have added birding and hiking to those outdoor activities, also. It is a wonderful way to spend time to learn about the environment, to gain an appreciation for nature and its wonder.

In addition to sporting's positive impact upon the American family, most anglers and hunters alike are ardent environmentalists. They are respectful and appreciative of our Nation's natural resources and beauty and often pass that same level of appreciation and respect and understanding on to their children when participating in outdoor activities. My own commitment to environmental preservation and protection of our water resources stems from lessons learned and experiences undertaken as a youngster in the woods and on the lake.

Through licensing fees and associated charges, American sportsmen and -women contribute millions of dollars annually to the protection of wetlands critical to habitat, forests and unique environmental sites and the propagation of various species. American sporting activities also have a significant impact on our Nation's economy. This \$70 billion industry benefits the economy everywhere from the big city to the small town. Anglers alone support 1 million jobs nationwide and buy \$3.2 billion in fishing equipment every year.

It was a fellow New Yorker, President Theodore Roosevelt, an avid outdoorsman and environmentalist, who established America's first wildlife refuge and laid the foundation for our current national park system. It was this sportsman President's leadership that led to our Nation's tradition of strong environmental stewardship today.

Mr. Speaker, if it had not been for the resolution and the work of this body today, I would have been on the Salmon River just north of my district in the district of the gentleman from New York (Mr. MCHUGH) because there is a tremendous salmon run on today because of the rainstorm that we received last night. It is breathtaking in its beauty to plumb those waters and breathe the crisp fall air that is inhabiting that area right now.

In conclusion, Mr. Speaker, this resolution provides the U.S. House of Representatives with a perfect opportunity to recognize the importance and impact American sportsmen have in our country today. As a member of the bipartisan Sportsmen's Caucus, I encourage my colleagues to support this deserved resolution.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. I thank my colleague for yielding me this time.

Mr. Speaker, I rise in strong support of H. Res. 362, a resolution that honors

our Nation's sportsmen for their importance and contributions to American society and recognizes the many benefits associated with outdoor sporting activities on our Nation's economy.

My good friend, the gentleman from New York (Mr. WALSH), and I, working with our partners at the Congressional Sportsmen's Foundation, drafted this resolution in honor of the 32nd observance of National Hunting and Fishing Day on September 27, 2003. This resolution is strongly supported by the Congressional Sportsmen's Caucus, the Congressional Sportsmen's Foundation, and over 40 sportsmen and conservation groups, including Ducks Unlimited and the National Rifle Association.

The thousands of sportsmen in my district have much to be grateful for in upstate New York. From the Adirondacks to the Catskills to the Finger Lakes and the wonderful waterways throughout my district, I am privileged to represent such a pristine place. My district is home to some of the Nation's most captivating trout fishing rivers and rich hunting land, and I will continue to lead the charge in Congress to promote conservation efforts to keep the air we breathe and the water we drink clean and safe for future generations. My experience has proved to me that our Nation's sportsmen are among the most responsible stewards of our precious environment. I am their partner.

In addition to their important role as conservationists in the field, sportsmen are an integral component of economic success in New York and across the Nation. In 2001 alone, the over-38 million sportsmen nationwide directly injected \$70 billion into our Nation's economy. New York State's 714,000 bow and gun hunters and 1.5 million anglers had a \$56.2 million impact on the Empire State. Hunters, anglers, and trappers also contributed to over 29,000 jobs in New York State. Mr. Speaker, jobs is my favorite four-letter word.

Following in the steps of Theodore Roosevelt, one of our Nation's truly great conservationists, really the first truly great conservationist, we must work together to ensure that our open spaces enjoyed by sportsmen are protected for use for years to come. Clean water and clean air are essential to enjoying activities like hunting, fishing, and trapping. They are recreational, they are good for the mind, and they are good for the spirit.

Mr. Speaker, I ask that we include the following letter of support for H. Res. 362 from over 40 sportsmen and conservation organizations in the appropriate place in the RECORD. I urge my colleagues to join me in honoring our Nation's sportsmen and vote in favor of H. Res. 362.

September 10, 2003.

Hon. RICHARD POMBO, MC,
Chairman, House Committee on Resources,
Longworth HOB, Washington, DC.

Hon. NICK J. RAHALL, MC,
Ranking Member, House Committee on Re-
sources, Longworth HOB, Washington, DC.

DEAR CHAIRMAN POMBO AND CONGRESSMAN RAHALL: The listed sportsmen conservationist organizations, representing millions of sportsmen and women across America, are writing in support of H. Res. 362, a resolution recognizing the importance and contribution of sports men and women to American society and our nation's economy.

With the coming of fall, a time-honored tradition for America's 38 million-plus sportsmen begins anew. Fall marks the beginning of the hunting season and often offers some of the best fishing. It is a time for families and friends to spend quality time in America's great outdoors, to escape the fast-paced life of suburbia, and to appreciate the beauty and bounty of nature. It provides an opportunity to pass down skills and traditions that reach back for generations, and to foster an understanding and appreciation of nature and the role of conservation and wildlife management.

For sportsmen there is also a responsibility for good stewardship for America's wildlife and natural resources. Through excise taxes on sporting equipment, license fees and conservation stamps such as the federal duck stamp, sportsmen directly contribute \$1.7 billion every year for conservation programs. The total economic contribution of sportsmen amounts to \$70 billion annually, with a ripple effect amounting to \$179 billion per year. To put this in context, if sportsmen were a corporation, they would rank #11 on the Fortune 500 list.

September 27th marks National Hunting and Fishing Day, so we are asking that you and your colleagues expeditiously move this resolution so that the House of Representatives can approve it and reaffirm the appreciation for America's sportsmen on Capitol Hill.

Sincerely,

American Sportfishing Association;
BASS/ESPN Outdoors; Bear Trust
International; Boone and Crockett
Club; Bowhunting Preservation Alliance;
Buckmasters American Deer
Foundation; California Waterfowl Association;
Campfire Club of America;
Congressional Sportsmen's Foundation;
Conservation Force; Conservation Fund.

Dallas Safari Club; Delta Waterfowl;
Ducks Unlimited; Foundation for
North American Wild Sheep; Houston
Safari Club; Hunting and Shooting
Sports Heritage Trust; International
Association of Fish and Wildlife Agencies;
International Hunter Education
Association; Izaak Walton League of
America; Mule Deer Foundation.

National Rifle Association; National
Shooting Sports Foundation; National
Trappers Association; National Wild
Turkey Federation; North American
Grouse Partnership; Northwest
Sportfishing Industry Association;
Orion The Hunter's Institute; Pheasants
Forever; Pope and Young Club;
Pure Fishing; Quail Unlimited, Inc.

Quality Deer Management Association;
Rocky Mountain Elk Foundation;
Ruffed Grouse Society; Safari Club
International; Texas Wildlife Association;
The Wildlife Society; U.S. Sports-
men's Alliance; Whitetails Unlimited,
Inc.; Wildlife Forever; Wildlife Habitat
Council; Wildlife Management Institute.

Mr. PEARCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and agree to the resolution, H. Res. 362.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMEMORATING THE BICENTENNIAL OF THE LOUISIANA PURCHASE

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 21) commemorating the Bicentennial of the Louisiana Purchase.

The Clerk read as follows:

H. CON. RES. 21

Whereas in 1803, the United States purchased the Louisiana Territory from France for a total of \$15,000,000;

Whereas President Thomas Jefferson designated Robert Livingston and James Monroe to negotiate the treaty with Napoleon Bonaparte;

Whereas the Louisiana Purchase included 827,987 square miles, nearly 600,000,000 acres, the largest single land purchase in our Nation's history;

Whereas the Louisiana Purchase territory stretched from Canada to the Gulf of Mexico and from the Mississippi River to the Rocky Mountains, nearly doubling the size of the United States at that time;

Whereas this purchase enabled dramatic further westward expansion and helped fuel the Nation's rise as a world power;

Whereas 15 States or parts of States were carved out of the Louisiana Purchase territory, including Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming;

Whereas the land was acquired by peaceful means, in stark contrast to the usual methods of old-style empires, which often conquered new territories by force;

Whereas the acquisition secured the United States' trading abilities by guaranteeing its navigation rights on the Mississippi River and its ability to send goods through the Port of New Orleans for shipment to the Atlantic Coast and Europe; and

Whereas generations of Americans have benefited from President Jefferson's noble vision of America and his efforts at expanding our new Nation onto the continent: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress celebrates the 200th anniversary of the Louisiana Purchase, recognizes the extraordinary work of the individuals involved in the transaction, and is grateful for the tremendous part the event played in fulfilling our Nation's Manifest Destiny.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 21, introduced by the gentleman from Louisiana (Mr. VITTER), would commemorate the bicentennial of the Louisiana Purchase. As my colleagues know, the Louisiana Purchase was the largest single land acquisition in our Nation's history, 827,987 square miles, or nearly 600 million acres. Purchased from France in 1803 for \$15 million, it stretched from Canada to the Gulf of Mexico and from the Mississippi River to the Rocky Mountains, nearly doubling the size of the United States at the time. Today, 15 States or parts of States exist within the area carved out by the Louisiana Purchase.

House Concurrent Resolution 21 is a commemorative resolution that would pay homage to one of the most significant events of our Nation's history. I urge my colleagues to support House Concurrent Resolution 21.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, it would be difficult to overstate the historical significance of the Louisiana Purchase. Looking back, it is difficult to imagine a single land purchase which doubled the size of this Nation, and it is equally hard to imagine what America might look like today had that purchase not been made.

We support the findings and sentiments expressed in this concurrent resolution and support its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. VITTER), the sponsor of this resolution.

Mr. VITTER. Mr. Speaker, this year the United States celebrates this very significant anniversary, the 200th anniversary of the Louisiana Purchase.

In my home State of Louisiana in particular, but really all across the country, celebrations are taking place throughout this year in honor of the role this historic event played in our Nation's history. When President Jefferson designated Robert Livingston and James Monroe to negotiate the Louisiana Purchase treaty with Napoleon Bonaparte, he hoped to secure for the country the Port of New Orleans and guarantee access to the important trade route along the Mississippi River. Of course, he did accomplish that; but he accomplished so much more than even that, doubling the size of the new country. The whole territory stretched from Canada to the Gulf of Mexico and included all or part of what are now 15 States; and, of course, it enabled further westward expansion by later settlers.

□ 1430

It is noteworthy of course that this largest land transaction in our country's history was accomplished without the use of force, which was certainly in stark contrast to similar land transactions of earlier countries and empires. The Louisiana Purchase has been called the greatest land deal in history, as was mentioned, 600 million acres for \$15 million or about 4 cents an acre. Not only did the acquisition guarantee our navigation rights along the Mississippi and our ability to ship goods for foreign trade, but it was absolutely central to our rise as a world power.

So it is fitting that we take a little time today to formally recognize the significance these events played in shaping our country and the way it benefited generations of Americans.

The Louisiana Purchase shaped the United States's destiny. Our country will be forever grateful for the extraordinary work of the individuals involved and the noble vision exercised by President Jefferson. Robert Livingston who was a relative, by the way, of my predecessor, Bob Livingston. As he signed the treaty, he perhaps put it best: "We have lived long, but this is the noblest work of our whole lives . . . from this day the United States take their place among the powers of the first rank . . . the instruments which we have just signed . . . prepare ages of happiness for innumerable generations of human creatures."

I would like to thank my colleagues from Louisiana, also the gentleman from Arkansas (Mr. BOOZMAN) and the gentleman from Arkansas (Mr. ROSS), the site of the initial surveying in our new territory; the gentleman from Virginia (Mr. GOODE), home of President Jefferson; the gentleman from California (Mr. POMBO), Chair of the Committee on Resources, and all of the leadership for their work on this legislation.

Mr. ROSS. Mr. Speaker, I rise today to help commemorate an event in our Nation's history that we can all join together in celebrating.

With the stroke of a pen in 1803, President Jefferson doubled America in size, making us one of the largest Nations in the world. The Louisiana Purchase comprised more than 600 million acres at less than 3 cents an acre in what today is the greater part of 13 states between the Mississippi River and the Rocky Mountains.

Arkansas was one of those states—the third state formed after Louisiana and Missouri. Two hundred years later, Arkansas continues to prove itself a valuable asset to our Nation. Our state has contributed much to our great country—our agriculture and other industries feed our Nation and fuel our economy; our State's natural beauty is an endless source of enjoyment for families and visitors. Arkansas has supplied our Nation with food and fiber, entertainers, and even a president.

The 828,000 square mile west of the Mississippi River is some of the most beautiful and bountiful land in our country. If only \$15 million could go that far today! I invite my colleagues and our Nation to join me in celebrating one of the single most noteworthy

events in our Nation's history—the Louisiana Purchase. This year as we celebrate the bicentennial, I hope that you will visit Arkansas and any of the other states that were purchased for so little, and that now prove to be priceless.

Mr. ALEXANDER. Mr. Speaker, I rise today to honor the storied legacy of the great state I represent, Louisiana. This year marks the bicentennial of the Louisiana Purchase, and today I am proud to commemorate this monumental event in our nation's history and in the history of the state of Louisiana and welcome the nation's participation in the yearlong celebration that will educate, entertain, and impart a lasting wonder for Louisiana. I have the esteemed privilege of representing Louisiana's fifth district, the 'heart of Louisiana'.

In 1803, Thomas Jefferson and Napoleon negotiated the United States' purchase of Louisiana from France. With just two strokes of the pen, our young nation doubled in size overnight, becoming one of the largest nations in the world. The Louisiana Purchase, approved by treaty in April of 1803, is called the most significant real estate transaction in the history of civilization. Encompassing over 800,000 square miles of land and costing about four cents per acre, the Louisiana Purchase eventually became all or part of 15 states: Arkansas, Missouri, Iowa, North Dakota, Texas, South Dakota, New Mexico, Nebraska, Wyoming, Kansas, Minnesota, Oklahoma, Colorado, Montana and definitely not least of all, Louisiana, my home state.

As part of the bicentennial celebration friends of the Louisiana Purchase bicentennial have collaborated to provide museum exhibits, concerts, films, re-enactments, and memorabilia. One of the museum exhibits that is especially dear to me is the Heart of Spain at the Alexandria Museum of Art in my district. Louisiana's history is intertwined with that of Spain's, and the influences of Spanish culture are still realized in the state's food, architecture, and government. In honor of the Louisiana Purchase Bicentennial, the Alexandria Museum of Art is inviting America, until November 30, to experience artifacts from world-renown Spanish museums, monasteries, churches and private collections El Corazon de Espana, in Alexandria, Louisiana offers a unique opportunity to be nourished and inspired by art and culture that is indicative of the friendship between Spain and Louisiana.

Mr. Speaker, I am thrilled to extend an invitation to my colleagues and to the nation to live, learn, and love Louisiana's rich history. When commenting to Thomas Jefferson on the Louisiana Purchase General Horatio Gates said, "Let the land rejoice for you have bought Louisiana for a song." Today, I hope my colleagues will join with Louisiana, its citizens and friends, in singing "Happy Birthday."

Mrs. CHRISTENSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 21.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the current resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING EXCHANGE OF LAND AT FORT FREDERICA NATIONAL MONUMENT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1113) to authorize an exchange of land at Fort Frederica National Monument, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1113

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCHANGE OF LANDS.

(a) *IN GENERAL.*—Notwithstanding any other provision of law, the Secretary of the Interior is authorized to convey to Christ Church of St. Simons Island, Georgia, the approximately 6.0 acres of land within the boundary of Fort Frederica National Monument adjacent to Christ Church and depicted as "NPS Lands for Exchange" on the map entitled "Fort Frederica National Monument 2003 Boundary Revision" numbered 369/80016, and dated April 2003, in exchange for approximately 8.7 acres of land to be acquired by Christ Church, which is depicted as "Private Lands for Addition" on the same map.

(b) *MAP AVAILABILITY.*—The map referred to in subsection (a) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) *BOUNDARY ADJUSTMENT.*—Upon completion of the land exchange under subsection (a), the Secretary of the Interior shall revise the boundary of Fort Frederica National Monument to reflect the exchange and shall administer the land acquired through the exchange as part of that monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1113, introduced by the gentleman from Georgia (Mr. KINGSTON), and amended by the Committee on Resources, would authorize the Secretary of the Interior to convey 6 acres of land within the boundaries of Fort Frederica National Monument on St. Simons Island, Georgia, to the Christ Church also located on St. Simons Island. In return, the park service would receive 8.7 acres of nearby property that would be acquired first by the church from the Sea Island Company and then exchanged with the park service. The exchange is viewed by all parties as a win-win.

Mr. Speaker, Christ Church has doubled in size in the last 9 years, and the additional land is needed for its expansion. In return, the monument would receive lands that are known to contain valuable archeological remains from the colonial period.

I urge my colleagues to support H.R. 1113, as amended.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as may I consume.

Mr. Speaker, H.R. 1113, which authorizes a land exchange at Fort Frederica National Monument in Georgia, raises a number of issues that were discussed at the hearing on this measure in April before the Committee on Resources. Evidently, appraisals and archeological surveys of the lands proposed to be exchanged have not been completed. So the value and historical significance of the proposed lands have not been established. Furthermore, the National Park Service testified that the noncontiguous parcel that the National Park Service would acquire through the exchange will likely increase the administrative and operational costs of the national monument.

The National Park Service testimony on H.R. 1113 elaborated on these concerns and, while generally supportive of the exchange, provided little guidance on how they should be addressed. We need to be careful about altering the boundaries of national park system units. Former Resources Committee Chairman Hansen spoke many times about the National Park Service acquiring a historic site that did not contain the historic resources that were claimed. We should not make the same mistake here. In that regard I would note that H.R. 1113 authorizes, but does not require, a land exchange at Fort Frederica National Monument. Before any exchange should occur, the National Park Service would be required to complete appraisals and historical surveys as well as comply with the requirements of NEPA.

As such, there are a number of administrative procedures in place to ensure that the exchange, if it goes forward, is in the public interest. Mr. Speaker, that being the case, we will not object to the consideration of H.R. 1113 by the House today.

Mr. Speaker, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. KINGSTON), the sponsor of H.R. 1113.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from New Mexico for yielding me this time, and I thank the gentlewoman from the Virgin Islands for the opportunity to speak about H.R. 1113.

This bill is a small one, but it represents an important land exchange between Fort Frederica National Monument on St. Simons Island and Christ Church. Aside from some of the issues which the gentlewoman from the Virgin Islands has already outlined, it is largely noncontroversial and it benefits all the parties.

The Christ Church community, and I have to say this about Christ Church, it is an old Episcopal church and I would love everybody to visit particularly if they have the time this sum-

mer when the G-8 is going to be held in the Golden Isles of Georgia. I believe those dates are anywhere from June 12 to June 14, somewhere in that time frame; but of course everybody is really excited about it. The G-8, the economic impact, for those who have ever followed it, they probably know it is about a \$200 million economic impact. People from all over the world will be there, 2,500 members of the press alone along coastal Georgia really all the way from Jacksonville to Charleston; and I have the honor of representing the entire coast.

We already have 7,000 hotel rooms reserved. I am glad I can say this because the gentlewoman from the Virgin Islands and the gentleman from New Mexico know what beautiful States they represent; and if this deal was not already done, they would probably be trying to solicit the G-8 and give us a very competitive run for our money on it, but we are very excited; and already members of the international community, members of the press community, members of the G-8 itself have already been coming to town and making preparations. So there is a lot of excitement; and I just want to say, Mr. Speaker, when any Member of Congress comes to that area, I hope that they will take the time not just to witness the G-8 but to look at all the other things we have in that area.

Christ Church is one of the oldest churches. John Wesley taught there. John Wesley came to America to Savannah and was actually a minister right after George Whitfield in Christ Church, Savannah, which was founded in 1733; and incidentally that is the home of America's first Sunday school, and then he moved to St. Simons and helped start Christ Church. And it was after that that he returned to England and started Methodism, but it can accurately be said that the birthplace of the Methodist Church, or the concept, was probably the Golden Isles of Georgia in Glynn County.

Christ Church, though, is not just about history; but if the Members do want to read about the history, there is a great book written by a man named Ethridge called "Strange Fires," and I would recommend it to anybody. But it is not just about history. It is about today. It is about children in the nursery. It is about young couples getting married. It is about senior citizens living out their life in communion with Christ. This church, because it is dynamic and because it is part of the fabric of today's society, has doubled in the last 9 years and needs additional land.

The church recently acquired, with private funds, not with any Federal tax dollars, 8.69 acres of land, and this land is adjacent to Fort Frederica National Monument. Fort Frederica is where some of the early colonists lived, and it is nothing but ruins; but the ruins are very well preserved, and it is an interesting romantic spot to look at.

One of the great things they do at Fort Frederica is they have some ar-

cheological findings, some items which are not historically significant, old cannonballs and bits and pieces of utensils and pottery; and they dug it up and they have identified it and catalogued it as not being historically significant, and they get the local elementary school and they rebury these archeological gems, and they let the school kids dig it back up, and then they catalogue it and then they study it and then they rebury it for the next year's class. And it is such a great living way to teach children. In today's world of education, and I was so proud that we passed No Child Left Behind with such great bipartisan support, that this is just one other way to teach children. And the thing that I think we all share in common, liberals, conservatives, Democrats, and Republicans, is that we want our kids to get the best education they can possibly have and then they can go on and think for themselves, and I think examples of that are just wonderful exercises of things that are going on in the country today.

This land also was recognized as the site James Oglethorpe occupied after coming to Georgia. Oglethorpe actually landed in Savannah Harbor and founded the city of Savannah in 1733, February 12, 1733, and then went on to Brunswick, Georgia, which is where the Battle of the Bloody Marsh was fought, because as the Members well know, the British basically owned most of the colonies, the 12 colonies north of Georgia. The Spanish owned Florida. The gentleman from Florida who is the distinguished gentleman who sits as Speaker today knows well of the great Spanish heritage of Florida. And if we go to cities like St. Augustine and we see the influences of forts down there like Castillo de San Marco and St. Augustine and so many of the other things, it is great Spanish heritage.

But back then the British and the Spanish were kind of fighting over the land a little bit, and Georgia was a buffer State. It was founded as a penal colony. And the showdown happened actually in Glynn County, Georgia, between the British and the Spanish; and it was called the Battle of Bloody Marsh because there was so much blood spilled that the water itself turned to red because of the blood, and we can still visit that site. And again, if the Members come down for the G-8, let me know. I am going to give the tour personally if they give me the honor. But James Oglethorpe's part, as one of the founders of Georgia, is very significant and yet another reason why we want this bill to go through.

The Christ Church community wants to give this 8.69 acres to the National Park Service so that it can expand the national monument and in return get 6 acres back from Fort Frederica National Monument, which is already adjacent to Christ Church; and then they can use this for their future expansion and whatever needs they have.

I want to say that the 6 acres do not hold any historical significance and are

not occupied by any facilities of the national park right now. So the national park is not going to be inconvenienced by it.

My sister, Mr. Speaker, lived in Italy for a number of years; and one of the things I found somewhat to my amusement when one goes to Rome or Naples or any of those great Italian cities, they cannot issue building permits because every time they put a trowel in the ground, they hit an ancient Roman ruin. We all know the song by Bob Dylan that says "The streets of Rome are filled with rubble. Ancient footprints are everywhere." I do not want to overindulge, but I think the next line was also pretty, "You can almost think that you're seein' double on a cold, dark night on the Spanish stairs." And if one has ever been to Rome, I think that song captures so much of the essence and the romanticism and the history of Rome.

To a minor degree, the coastal area of Georgia is the same way. Every time they dig, they can find something. From native Americans to the early Spanish to the British to missionaries and everybody else in between has been there at one time or the other.

But I strongly believe that this exchange would benefit the United States and protect and conserve significant cultural resources as the Oglethorpe ruins. This property contains historical and archeological resources worthy of protection and preservation by the National Park Service for all generations in the future, and the bill is supported by the National Park Service.

In conclusion, let me say this: this bill will allow Christ Church to expand; so it is a win-win. It captures history and yet lets progress take place.

I thank the gentleman from California (Mr. POMBO), Committee on Resources chairman; the gentleman from California (Mr. RADANOVICH), the subcommittee chairman; the gentleman from West Virginia (Mr. RAHALL), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the ranking members, for their support of this bill. And I also want to recognize the efforts of the former Senator of Georgia, Mr. Mack Mattingly, for his dedication to this cause.

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Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Georgia (Mr. KINGSTON) for sharing such rich cultural heritage of the area.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 1113, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FORT BAYARD NATIONAL HISTORIC LANDMARK ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2059) to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, and for other purposes.

The Clerk read as follows:

H.R. 2059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FORT BAYARD NATIONAL HISTORIC LANDMARK ACT.

(a) SHORT TITLE.—This section may be cited as the "Fort Bayard National Historic Landmark Act".

(b) DESIGNATION.—The Fort Bayard Historic District in Grant County, New Mexico, as listed on the National Register of Historic Places, is hereby designated as the Fort Bayard National Historic Landmark.

(c) ADMINISTRATION.—Nothing in this section shall affect the administration of the Fort Bayard Historic District by the State of New Mexico.

(d) COOPERATIVE AGREEMENTS.—The Secretary, in consultation with the State of New Mexico, Grant County, New Mexico, and affected subdivisions of Grant County, may enter into cooperative agreements with appropriate public or private entities, for the purposes of protecting historic resources at Fort Bayard and providing educational and interpretive facilities and programs for the public. The Secretary shall not enter into any agreement or provide assistance to any activity affecting Fort Bayard State Hospital without the concurrence of the State of New Mexico.

(e) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide technical and financial assistance with any entity with which the Secretary has entered into a cooperative agreement under subsection (d).

(f) NO EFFECT ON ACTIONS OF PROPERTY OWNERS.—Designation of the Fort Bayard Historic District as a National Historic Landmark shall not prohibit any actions which may otherwise be taken by any property owners, including the owners of the Fort Bayard National Historic Landmark, with respect to their property.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2059. First I would like to take this opportunity to thank the gentleman from California (Chairman POMBO); the subcommittee chairman, the gentleman from California (Mr. RADANOVICH); along with the ranking member, the gentleman from West Vir-

ginia (Mr. RAHALL), for allowing the Committee on Resources to consider H.R. 2059 in an expedited manner and for allowing it to be considered on the House floor today.

Mr. Speaker, H.R. 2059 would designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark.

On August 21, 1866, troops under the command of Lt. James Kerr, Company B, 125th United States Colored Infantry, began building a new post in Apache country near the mining communities of Pinos Altos and Silver City, New Mexico. The infantry troops stationed at Fort Bayard were nicknamed "Buffalo Soldiers" by the Cheyenne and Comanche Indians. The post was named after Brigadier General George D. Bayard, who had been killed in the battle of Fredericksburg.

After Geronimo's surrender, Fort Bayard as a military post was no longer needed. As a result, in 1899 Fort Bayard became the first sanatorium dedicated to the treatment of soldiers suffering from pulmonary tuberculosis.

In 1922, Fort Bayard came under the jurisdiction of the Veterans' Administration and became a treatment center for veterans. During World War II, Fort Bayard housed German prisoners of war.

Today, the post is operated as a hospital by the State of New Mexico and presently employs approximately 400 employees. To this day, Fort Bayard continues to play a vital role in the health care of Grant County, New Mexico, and the surrounding area.

Designation of Fort Bayard as a National Historic Landmark is important for the preservation of its historical significance. It is also very important to southeastern New Mexico's economic development. The region is currently suffering from high unemployment and stagnant economic growth. This designation would allow Fort Bayard to attract more tourism to the area and would bring in much-needed economic revenue, which could help fuel more investment in the region.

H.R. 2059 has the unanimous support of the New Mexico Congressional delegation, is cosponsored by the entire delegation, and also has very strong public support.

Mr. Speaker, I urge all of my colleagues to support H.R. 2059.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2059 is the companion measure to the Senate bill, S. 214, introduced by Senator BINGAMAN, which passed the Senate on March 4, 2003, and has been referred to the Committee on Resources. The legislation provides for the establishment of the Fort Bayard National Historical Landmark in the State of New Mexico. The legislation also authorizes the Secretary of the Interior to provide technical and financial assistance to the site.

The fort has a long history of use as a military post and medical facility. The site is currently listed on the National Register of Historic Places.

While no hearings have been held on this bill, the Committee on Resources ordered it reported to the House in July. We will not object to the consideration of H.R. 2059 by the House today, but I would note for the record that taking up the House bill, when the companion Senate bill has been pending in the House since March, only serves to needlessly complicate the process of enactment.

Mr. Speaker, I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 2059.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EASTERN BAND OF CHEROKEE INDIANS LAND EXCHANGE ACT OF 2002

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1409) to provide for a Federal land exchange for the environmental, educational, and cultural benefit of the American public and the Eastern Band of Cherokee Indians, and for other purposes.

The Clerk read as follows:

H.R. 1409

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eastern Band of Cherokee Indians Land Exchange Act of 2002".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Since time immemorial, the ancestors of the Eastern Band of Cherokee Indians have lived in the Great Smoky Mountains of North Carolina. The Eastern Band's ancestral homeland includes substantial parts of seven eastern States and the land that now constitutes the Great Smoky Mountains National Park.

(2) The Eastern Band has proposed a land exchange with the National Park Service and has spent over \$1,500,000 for studies to thoroughly inventory the environmental and cultural resources of the proposed land exchange parcels.

(3) Such land exchange would benefit the American public by enabling the National Park Service to acquire the Yellow Face tract, comprising 218 acres of land adjacent to the Blue Ridge Parkway.

(4) Acquisition of the Yellow Face tract for protection by the National Park Service would serve the public interest by preserving important views for Blue Ridge Parkway visitors, preserving habitat for endangered species and threatened species including the northern flying squirrel and the rock gnome

lichen, preserving valuable high altitude wetland seeps, and preserving the property from rapidly advancing residential development.

(5) The proposed land exchange would also benefit the Eastern Band by allowing it to acquire the Ravensford tract, comprising 143 acres adjacent to the Tribe's trust territory in Cherokee, North Carolina, and currently within the Great Smoky Mountains National Park and Blue Ridge Parkway. The Ravensford tract is part of the Tribe's ancestral homeland as evidenced by archaeological finds dating back no less than 6,000 years.

(6) The Eastern Band has a critical need to replace the current Cherokee Elementary School, which was built by the Department of the Interior over 40 years ago with a capacity of 480 students. The school now hosts 794 students in dilapidated buildings and mobile classrooms at a dangerous highway intersection in downtown Cherokee, North Carolina.

(7) The Eastern Band ultimately intends to build a new three-school campus to serve as an environmental, cultural, and educational "village," where Cherokee language and culture can be taught alongside the standard curriculum.

(8) The land exchange and construction of this educational village will benefit the American public by preserving Cherokee traditions and fostering a vibrant, modern, and well-educated Indian nation.

(9) The land exchange will also reunify tribal reservation lands now separated between the Big Cove Community and the balance of the Qualla Boundary, reestablishing the territorial integrity of the Eastern Band.

(10) The Ravensford tract contains no threatened species or endangered species listed pursuant to the Endangered Species Act of 1973. The 218-acre Yellow Face tract has a number of listed threatened species and endangered species and a higher appraised value than the 143-acre Ravensford tract.

(11) The American public will benefit from the Eastern Band's commitment to mitigate any impacts on natural and cultural resources on the Ravensford tract, by among other things reducing the requested acreage from 168 to 143 acres.

(12) The Congress and the Department of the Interior have approved land exchanges in the past when the benefits to the public and requesting party are clear, as they are in this case.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To acquire the Yellow Face tract for protection by the National Park Service, in order to preserve the Waterrock Knob area's spectacular views, endangered species and high altitude wetland seeps from encroachment by housing development, for the benefit and enjoyment of the American public.

(2) To transfer the Ravensford tract, to be held in trust by the United States for the benefit of the Eastern Band of Cherokee Indians, in order to provide for an education facility that promotes the cultural integrity of the Eastern Band and to reunify two Cherokee communities that were historically contiguous, while mitigating any impacts on natural and cultural resources on the tract.

(3) To promote cooperative activities and partnerships between the Eastern band and the National Park Service within the Eastern Band's ancestral homelands.

SEC. 3. LAND EXCHANGE.

(a) IN GENERAL.—The Secretary of the Interior ("Secretary") shall exchange the Ravensford tract, currently in the Great Smoky Mountains National Park and the Blue Ridge Parkway, for the Yellow Face

tract adjacent to the Waterrock Knob Visitor Center on the Blue Ridge Parkway.

(b) TREATMENT OF EXCHANGED LANDS.—Effective upon receipt by the Secretary of a deed or deeds satisfactory to the Secretary for the lands comprising the Yellow Face tract (as described in subsection (c)) to the United States, all right, title, and interest of the United States in and to the Ravensford tract (as described in subsection (d)), including all improvements and appurtenances, are declared to be held in trust by the United States for the benefit of the Eastern Band of Cherokee Indians as part of the Cherokee Indian Reservation.

(c) YELLOW FACE TRACT.—The Yellow Face tract shall contain Parcels 88 and 89 of the Hornbuckle Tract, Yellow Face Section, Qualla Township, Jackson County, North Carolina, which consist altogether of approximately 218 acres and are depicted as the "Yellow Face Tract" on the map entitled "Land Exchange Between the National Park Service and the Eastern Band of Cherokee Indians," numbered 133/80020A, and dated November 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Bureau of Indian Affairs. Upon completion of the land exchange, the Secretary shall adjust the boundary of the Blue Ridge Parkway to include such lands and shall manage the lands as part of the parkway.

(d) RAVENSFORD TRACT.—The lands declared by subsection (b) to be held in trust for the Eastern Band of Cherokee Indians shall consist of approximately 143 acres depicted as the "Ravensford Tract" on the map identified in subsection (c). Upon completion of the land exchange, the Secretary shall adjust the boundaries of Great Smoky Mountains National Park and the Blue Ridge Parkway to exclude such lands.

(e) LEGAL DESCRIPTIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall file a legal description of the areas described in subsections (c) and (d) with the Committee on Resources of the House of Representatives and the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate. Such legal descriptions shall have the same force and effect as if the information contained in the description were included in those subsections except that the Secretary may correct clerical and typographical errors in such legal descriptions. The legal descriptions shall be on file and available for public inspection in the offices of the National Park Service and the Bureau of Indian Affairs.

SEC. 4. IMPLEMENTATION PROCESS.

(a) GOVERNMENT-TO-GOVERNMENT AGREEMENTS.—In order to fulfill the purposes of this Act and to establish cooperative partnerships for purposes of this Act the Director of the National Park Service and the Eastern Band of Cherokee Indians shall enter into government-to-government consultations and shall develop protocols to review planned construction on the Ravensford tract. The Director of the National Park Service is authorized to enter into cooperative agreements with the Eastern Band for the purpose of providing training, management, protection, preservation, and interpretation of the natural and cultural resources on the Ravensford tract.

(b) CONSTRUCTION STANDARDS.—Recognizing the mutual interests and responsibilities of the Eastern Band of Cherokee Indians and the National Park Service for the conservation and protection of the resources on the Ravensford tract, the National Park Service and the Eastern Band shall develop mutually agreed upon standards for size, impact, and design of construction consistent

with the purposes of this Act on the Ravensford tract. The standards shall be consistent with the Eastern Band's need to develop educational facilities and support infrastructure adequate for current and future generations and shall otherwise minimize or mitigate any adverse impacts on natural or cultural resources. The standards shall be based on recognized best practices for environmental sustainability and shall be reviewed periodically and revised as necessary. Development of the tract shall be limited to a road and utility corridor, an educational campus, and the infrastructure necessary to support such development. No new structures shall be constructed on the part of the Ravensford tract depicted as the "No New Construction" area on the map referred to in Section 3(c), which is generally the area north of the point where Big Cove Road crosses the Raven Fork River. All development on the Ravensford tract shall be conducted in a manner consistent with this section and such development standards.

SEC. 5. GAMING PROHIBITION.

Gaming as defined and regulated by the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall be prohibited on the Ravensford tract.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1409 provides a land exchange between the National Park Service and the Eastern Band of Cherokee Indians whose reservation is located in western North Carolina. The bill is sponsored by the tribe's Congressman, the gentleman from North Carolina (Mr. TAYLOR). The bill was the subject of a full Committee on Resources hearing on June 18, 2003, and was ordered reported on a unanimous voice vote.

The purpose of the land exchange is to enable the construction of a new school, which is necessary to replace the overcrowded, outdated and unsafe school that the Cherokee students are presently forced to attend.

Under the legislation, the Eastern Band will give the American public 218 acres of high-value, pristine land along the Blue Ridge Parkway. This land has high habitat value for several endangered species. Because this land is private property, it would otherwise be open to future development. Instead, it will be made part of the National Park System.

In return, only 143 acres of lower-value land in the Great Smoky Mountains National Park, called the Ravensford tract, will be placed in a trust for the Tribe. This property is adjacent to the Cherokee Reservation and is part of the Tribe's ancestral land area.

On this site, a new educational campus emphasizing traditional Cherokee values, including the preservation of the natural environment, would be constructed. The bill upholds a strict set of construction standards to minimize environmental impact.

In short, this is an education bill, an education bill for Native American youth on the Eastern Cherokee Reservation. The Tribe is setting an example that ought to be followed by local, State and Tribal governments who care about providing America's youth with a high-quality learning environment.

During the committee hearing on H.R. 1409, we heard from Cherokee student Cory Blankenship, who traveled to Washington, D.C. and spoke on the need for this land exchange. He said, "In the last decade, over 3.5 million acres of land nationwide have been placed under the protection of the National Park Service. We are asking only for 143 acres to help us build our school and preserve our culture."

The Eastern Band has already spent over \$1.5 million to carefully evaluate this proposal. The Ravensford Tract was determined to be the ideal site for a new Cherokee school. The terrain is flat, accessible, and located away from the dangerous intersection where the existing school is situated. In the past, this site was used as a site of a lumber mill, and it is now nowhere near the pristine state that the other tract that is being offered for it is.

More important, the Eastern Cherokee people have a moral claim to the Ravensford Tract. In the 1940s, the parcel in question was supposed to be conveyed to the Cherokee as part of a deal in which the Indians gave up land so that the government could build the Blue Ridge Parkway through their Reservation, but Congress deleted this parcel after the deal was agreed to. Therefore, in addition to this being a bill about building a new school for the Tribe's children, we need to uphold our end of the bargain made in good faith with sovereign Indian Nations.

It is hard to believe that some could oppose this legislation. The Eastern Band is a Tribe of Native Americans who were barely able to avoid the Trail of Tears. Yet there are some groups that want to deny them an opportunity to build a new school for their children.

We have an obligation to pass this bill. The vote on H.R. 1409 is simple: Let us support an Indian Tribe that wants to educate its children and preserve its culture.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 1409, which would provide for a land exchange for a school for the Eastern Band of the Cherokee Tribe which everyone would otherwise support, however, is in the middle of the most visited National Park and cannot be, by any stretch of the imagination, considered a noncontroversial bill. It, therefore, does not belong on the suspension calendar. In addition to this, its appearance on the floor is pre-

mature, given that the National Park Service has not completed its environmental impact statement and that a further study on alternative sites is also not finished.

I do support the need for a school for the Eastern Band of the Cherokee Tribe, but with so many unanswered questions and the importance of the site in question, as well as the bad precedent that I think it sets, I regretably must ask my colleagues to vote no on this measure on suspension today.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, let me indicate my strong support for this legislation. It is an important piece of legislation that I think deserves bipartisan support.

The bill, as we know, seeks to secure land for Native Americans so they can provide desperately needed educational facilities to their young people. I believe that investing in education and Native American youth is something we can all agree upon.

Specifically, the bill would direct the Secretary of the Interior to exchange approximately 143 acres, and I stress 143 acres, of land now under the control of the National Park Service for approximately 218 acres of land controlled by the Eastern Band of Cherokee Tribe.

I would point out, and I know my colleague from Arizona mentioned part of this, in my opinion the National Park Service is actually benefiting from this land exchange because effectively they are getting more land. They are getting 218 acres, as opposed to having to give back to the Cherokee Nation 143 acres of land.

In addition to that, the land that the National Park Service is getting is pristine. One could argue, it is actually better, and in a more pristine state, than the land that they are giving to the Cherokee Nation. As was mentioned by my colleague from Arizona, the land that the Park Service would obtain actually has two endangered species, where there is no indication that the land that the Cherokee Nation is going to receive has any endangered species.

In addition to the fact that there is more land going to the Park Service, also the appraiser, and it was an independent appraiser who has done this type of appraisal for the Park Service before, indicated that the land that the Park Service is going to get is worth more and has a higher appraised value than the land that the Cherokee Nation is actually going to receive. So from an environmental point of view, as well as from a cost point of view, the Park Service is actually benefiting from the exchange. I want to stress that.

If approved, the bill would provide the Tribe with the flat land necessary to build badly needed schools, as well as to add pristine land, as I said, to the National Park Service.

There is an educational crisis now on the Eastern Cherokee Reservation. There is only one Cherokee elementary school, and it is in extremely poor condition. It was built almost 40 years ago by the Interior Department. It was designed for only 480 students.

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Today, over 700 students are housed in a dilapidated building that is run down and in dire need of repair. But most important, because of the school's location on a main road and its proximity to other buildings, the current facility cannot be expanded. The tribe needs this additional land to expand the school because they cannot physically do it now, and this road, this highway, is very congested. We heard testimony in the committee about the potential danger to the students from the existing facility, and that is why we need to have the land exchange.

There are a number of reasons. I am just trying to make the case, Mr. Speaker, if I can, that there are a number of reasons why this should be done and why this bill should be passed today.

Mr. Speaker, for too long Indian country has suffered from high unemployment and poverty. The only way to improve the lives of Indian children is to ensure that they receive the best education possible. I believe that one of the best ways to achieve this is to give students the best conditions for learning. I believe strongly that passage of this bill will help the Cherokee children achieve this goal. I do not really see any downside to the bill, and I urge my colleagues to support this bill and pass it today.

Mr. RENZI. Mr. Speaker, I want to thank the gentleman from New Jersey for his stalwart advocacy on behalf of Native Americans, particularly in the East.

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from Arizona for yielding me this time, and I thank my good friend, the gentleman from New Jersey (Mr. PALLONE) for his comments. He well stated the case for this land transfer.

Mr. Speaker, I think many times that we all, no matter which side we are on, Democrat or Republican, we want to do what we think is right for the people of this country, as well as the environment. And as the gentleman from New Jersey said, my friend, and the gentleman from Arizona previously, this is a win-win for the Park Service and the taxpayers. Very seldom do we have debates on the floor where we can have both parties coming together and saying that this is a win for the taxpayer and this is a win for the Park Service.

I want to just share with my colleagues, I have three or four photographs I would like to show. I have had

the pleasure of getting to know these wonderful people from the Cherokee Tribe in Cherokee, North Carolina, the home of the gentleman from North Carolina (Mr. TAYLOR), who wanted to be here today, but is running late because of his flight. These are the people that I think, and the gentleman from Michigan (Mr. KILDEE) can speak to this better than I when he speaks in a few minutes, that of all of the people in this country that have been neglected, it has to be the Indians. I have never met such nice people, and meek and easy-going, intelligent people.

As was said by the gentleman from Arizona, the young student from Cherokee High School that came down and testified before the committee, I had an opportunity to meet with Cory and some of his classmates in my office in the Cannon Building. They were saying to me, Congressman, it does not make any sense about this land transfer. We have tried to transfer this land for 3 or 4 years now, and nothing has ever come of it. And it is time that our kids, our children, K through 12, have a better environment to learn.

This photograph, Mr. Speaker, to my left is a gym wall that is cracked and pushing inward. I will hold this up. This, in itself, shows us that the buildings are in a terrible situation. This is just one of three or four photographs I would like to show.

Mr. Speaker, this is a photograph, it says, high school, major cracks in walls. This is just a regular classroom, and we can see the major cracks that have already developed in this building. As the gentleman from New Jersey (Mr. PALLONE) said, this school is over 40 years old, 40 years old. All we are asking for today is a land swap. The Indians, by God, have given the Federal Government more than they have ever received from the Federal Government. That is a known history of this country. But in this case, this is a swap that is to the benefit of the environment and to the Park Service. But there again, I want to show this to the Members on the House Floor today, this is a major structural problem that the high school has in Cherokee, North Carolina.

Mr. Speaker, this is another, if you will, crack at the school that I want everyone to see. I imagine anyone that is watching today can see that fairly well. But to my friends on the Democratic side, that is just another example of just how deplorable this school is and why this land swap needs to take place. Again, this land swap is supported by the majority on both sides.

We all know about trailers. The Cherokee Indians are spending a lot of their time in trailers, but we know that is true outside of the Cherokee Tribe. That is one of the problems that we as a Nation need to address as it relates to other schools. But, Mr. Speaker, this actually comes down to the fact that these school buildings are structurally unsafe and have been condemned. I am not sure if the gentleman from New

Jersey (Mr. PALLONE), my friend, might have said that, but I want to reaffirm if he did say it, these buildings have been condemned. So this is the only opportunity and option that these students have.

The Cherokee leadership has been for 4 and 5 years coming here to Washington, meeting with the gentleman from North Carolina (Mr. TAYLOR) and the two Senators from North Carolina, just asking the Interior Department to just transfer this land, to swap it. And we, the American Government, get a better deal when it comes to the cost and the price of the land.

As the gentleman from New Jersey (Mr. PALLONE) said, and I will close in just a second, that 218 acres of pristine land that contains two endangered species, that is now owned by the Cherokees, will be transferred to the Federal Government. In turn, the Federal Government will transfer 143 acres of non-pristine land and has no endangered species on that land.

So, Mr. Speaker, I see this as a win.

Mrs. CHRISTENSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE), a senior member of the Committee on Resources.

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise in strong support of H.R. 1409, a bipartisan land exchange bill, which will allow the Eastern Band of Cherokee to build new schools for their children.

This bill passed out of the Committee on Resources on July 15, 2003, by a voice vote. During the markup, several Members from both sides of the aisle expressed strong support for the bill to move forward.

I am aware of the environmental concerns that the gentleman from West Virginia has raised about this bill. I am a strong supporter for the National Environmental Policy Act, NEPA. I am a strong supporter of that process, and I do not believe that passage of this bill circumvents that process. The public comment period on the land exchange ended last month, and the National Park Service will complete review of this environmental impact statement regardless of this legislation.

In addition, in its draft environmental impact statement, the Park Service determined that the exchange will have no impairment on the experience of visitors to the Great Smoky Mountains and determined there will be no impairment to the biodiversity based on mitigation efforts. The Park Service will receive pristine land that it selects, which will result in a net increase of national parklands.

Mr. Speaker, the Eastern Cherokee face an educational crisis of having condemned, overcrowded classrooms we would not house criminals in. I have traveled throughout this country, and I have seen schools that are horrible, and these buildings are not fit for human habitation.

The tribes' mountainous reservation has no more available flatland suitable

for building new schools. This is the kind of environment which many of our Indian children have been forced to learn in. This is unacceptable. Through this legislation, we can help the Eastern Band of Cherokee move forward with its commitment to educate its children.

In my years of elected office, Mr. Speaker, I have enjoyed the support of the environmental community. I have one of the highest environmental records in this Congress because of my commitment to protecting our Nation's precious resources. That is something of which I am very proud. I know that some of my environmental friends have concerns about this legislation and feel that no land should ever be exchanged for the National Park Service, but in this instance I must disagree. The Park Service will get more land and will get better land, and the land of their choosing. I believe that this bill is consistent with proenvironmental principles and with Indian sovereignty.

Congress is the one that makes this decision. Article I, Section 8, all of which we have taken an oath to uphold, says the Congress shall have power to regulate commerce with foreign nations, and among the sovereign States, and with the Indian tribes. This Cherokee Nation, this sovereign nation, all they want is some land to educate their children. The Park Service has selected more land, land of their choosing in exchange. I urge the passage of this bill.

Mr. Speaker, I rise in strong support of H.R. 1409, a bipartisan land exchange bill which will allow the Eastern Band of Cherokee to build new schools for their children.

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During the markup several members from both sides of the aisle expressed strong support for the bill to move forward.

I am aware of the environmental concerns that the gentleman from West Virginia has raised about this bill.

I am a strong supporter of the National Environmental Policy Act (NEPA) process and do not believe that passage of this bill circumvents that process.

The public comment period on the land exchange ended last month. And the National Park Service (Park Service) will complete review the environmental impact statement (EIS) regardless of this legislation.

In addition, in its draft EIS, the Park Service determined that the exchange will have no impairment on the experience of visitors to the Great Smokey Mountains and determined there will be no impairment to the biodiversity based on mitigation efforts.

The Park Service will receive pristine land that it selected which will result in a net increase of national park lands.

Mr. Speaker, the Eastern Cherokee face an educational crisis of having condemned, overcrowded classrooms we would not house criminals in.

The tribe's mountainous reservation has no more available flat land suitable for building new schools.

This is the kind of environment in which many of our Indian children have been forced to learn.

That is unacceptable. Through this legislation we can help the Eastern Band of Cherokee move forward with its commitment to educate its children.

In my years of elected office, I have enjoyed the support of the environmental community for my commitment to protecting our nation's precious resources. That is something for which I am very proud.

I know that some of my environmental friends have concerns with this legislation and feel that no land should ever be exchanged from the National Park Service.

But in this instance, I must disagree. I believe that this bill is consistent with proenvironmental principles, and with Indian Sovereignty—two principles dear to me.

I urge my colleagues to vote "yes" on this bill.

Mr. RENZI. Mr. Speaker, I thank the gentleman from Michigan, and I yield 3 minutes to the gentleman from California (Mr. BACA).

(Mr. BACA asked and was given permission to revise and extend his remarks.)

Mr. BACA. Mr. Speaker, I rise today in strong support of H.R. 1409, the Eastern Band of Cherokee Indians Land Exchange. This land exchange is urgent for the Eastern Band community because it would allow them to build a new K-through-12 complex in Cherokee, North Carolina, that they desperately need.

We owe it to our children. We owe it to each one of us to make sure that every child has an opportunity to learn, to be in a safe environment. So when we look at where these tribes are and the kids are, they are in overcrowded classrooms right now. How can our children learn in an overcrowded classroom? We cannot even have wiring. We say leave no child behind, and our President has said leave no child behind. The only way we can do that is if we build new schools, modernize schools so we are able to put the kind of technology that we need to make sure that our children are able to meet the 21st century in computer and technology, and that they are in a safe environment.

When you are in a safe climate and a safe environment, it adds to your attitude and your behavior in the classrooms. You feel good about yourself; your self-esteem is built. Well, if we do not allow for this land exchange, how can we then say that we are building for our future? How can we say that every child, regardless of whether you are in a sovereign country or in another country, that you do not deserve the right to learn, that you do not deserve the right to be in that kind of environment? We owe that to every one of our children.

Let me tell my colleagues, we should all be proud of this kind of legislation that has come before us, because it has given someone an opportunity to build the kind of schools that our children need; an opportunity to allow them to grow and to develop; an opportunity for them to be proud not only of themselves, but of the school that they are

doing to. When we saw the photos earlier. It is very difficult to be proud to be in that kind of environment, to say that I am in a classroom where there are potholes that are there, when we see that there are faucets that are not working, water that is not flowing. Well, it is difficult. And then when we begin to compete and bring other individuals to compete in our schools, we want to stand up and say we are proud of this school. We are proud of this school. And we should allow them to build that school.

They are overcrowded, as I stated. They have 800 students right now, and they are putting them into a 400 classroom capacity at this point. We must not forget the rights and the needs of the Americans, and that is our first Americans. This tribe that survived the Trail of Tears in the 1830s, this is a tribe that was promised this land, that was promised this land. This tribe was promised this land many years ago. This tribe deserves better than what they have been given.

Native Americans, including Eastern Band Cherokee Indians, are working hard to become self-sufficient, and we must offer them our help. This proposal is a perfect example of that. I am proud of the tribe's efforts to improve educational, cultural, and economic development in their communities. I support this bill. I applaud the efforts of the Eastern Band. I urge all of my colleagues to do the same.

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Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from California for his passion and fighting spirit on behalf of the Native Americans nationwide.

Mr. Speaker, I have no other speakers; and I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, may I inquire how much time we have remaining.

The SPEAKER pro tempore (Mr. CULBERSON). The gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) has 11½ minutes remaining, and the gentleman from Arizona (Mr. RENZI) has 8 minutes remaining in this debate.

Mrs. CHRISTENSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. CARSON).

(Mr. CARSON of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. CARSON of Oklahoma. Mr. Speaker, I thank the gentlewoman for yielding me the time.

I am a proud cosponsor of H.R. 1409, the Eastern Band of Cherokee Indians Land Exchange Act, and I rise in strong support of that bill.

This particular bill has personal and professional interest to me as my father was a long-time housing agent on the Eastern Band of Cherokee's reservation, and I spent several years of my youth in the beautiful Smoky Mountains.

The Great Smoky Mountains, which are very beautiful, offer a rich cultural heritage to the Eastern Band of Cherokees; but sadly, they provide little in the way of developmental land. This legislation today, as other speakers have said, is necessary to provide for the educational and cultural benefits of the Eastern Band of Cherokees by enabling the tribe to construct three new school facilities: one elementary, one middle school, and one high school.

The current facilities, as the pictures we have seen show, are greatly in need of replacement. The Cherokee Elementary School, to take one example, was built by the Department of the Interior over 40 years ago with the capacity to hold 480 students. Today, this facility holds approximately 800 students. To accommodate all of the students, the school has been forced to add temporary facilities. In addition, the main school and temporary facilities are located at a dangerous highway intersection in downtown Cherokee, North Carolina.

Today, the tribe offers the National Park Service, in exchange for the 143-acre Ravensford Tract, 218 acres of highly desirable, pristine land. The building of this new facility will enable the Eastern Band of Cherokees to teach Cherokee language and culture so as to foster and preserve tribal practices for future generations.

I can think of no better use for a tract of land than the construction of a complex to further the educational and cultural pursuits of Eastern Band children and to replace the current overcrowded and aging schools. After all, the key to a brighter future for Indian country runs through the classroom door.

I believe the Federal Government must actively assist the tribe in this endeavor, and I respectfully urge my colleagues to vote in support of the Eastern Band of Cherokee Indian Land Exchange Act.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

I want to take this moment to thank the gentleman from Oklahoma, particularly for his personal knowledge, the firsthand experiences that he shared, and the fact that he has actually lived right in the same area where we are discussing and debating here today.

Mr. Speaker, again, I have no speakers, and I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, native people, both Native Americans as well as people of different ethnicities, have been displaced during the settlement of most of the U.S. This is a sad, but true, chapter in our history. I would say, though, that if we are serious about returning lands to native people, and we should be, then let us look at developing a nationwide, consistent policy. We cannot start carving up our national parks

piece by piece, case by case. This does a disservice to the parks, the tribes, and the American people.

Mr. Speaker, it has been said that environmental groups support the exchange. In fact, most, if not all, are against this exchange but are willing to work with the tribe on a suitable alternative site. We recognize that the condition of the school is poor and should be unacceptable; but as I recall from the hearing, there was \$8 million there for years that had never been used to repair the schools in all of this time.

Those of us who object do not object on the basis of need. The tribe's children and all of this country's children need, deserve, and should have good, safe, well-equipped and well-staffed schools. We want the Eastern Band of Cherokees to have the educational complex that they should have. The question that remains is where is that facility best placed.

Even, Mr. Speaker, the Subcommittee on Interior and Related Agencies of the Committee on Appropriations of this body, chaired by the gentleman from North Carolina (Mr. TAYLOR), just 2 months ago called for a study before this exchange should be decided on because of the yet-unanswered questions. We should honor this and do the land exchange in the right way.

Therefore, I join the gentleman from West Virginia (Mr. RAHALL), the ranking member, in opposition to the passage of this bill on the suspension calendar.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

In closing, I just state simply that the Eastern Band of Cherokees has spent 3½ years, \$1.5 million to study this, to thoroughly research, to provide one of the cleanest and fairest land exchanges we have seen in this House in many years. I would ask that the colleagues who spoke on both sides please help influence the other colleagues in their own parties to vote in favor of this legislation, to not any longer delay the education of these children, to not obstruct any longer the possibility that they can have a bright future and a brand new school.

Mr. FALEOMAVEGA. Mr. Speaker, today I rise in support of H.R. 1409, the Eastern Band of Cherokee Indians Land Exchange Act of 2003. This legislation would allow for an exchange of 143 acres of public lands for 218 acres of private lands between the Eastern Band and the National Park Service. These lands are needed to build suitable educational facilities for the children of the Eastern Band of Cherokees.

Mr. Speaker, the Cherokee people have endured many hardships at the hands of the United States. The Eastern band people today are descendants of those who escaped or survived the Trail of Tears in the 1830's. But lost culture, stolen lands, and broken promises did not end there. In the 1940's, the United States promised to convey the very land in question

to the Cherokee to replace Reservation lands taken from the Tribe to build the Blue Ridge Parkway. However, despite negotiating an agreement, the transfer never materialized.

Today, the Eastern Cherokee Reservation is located on mountainous terrain that is unsuitable for construction and this is why H.R. 1409 is necessary. H.R. 1409 would provide the Eastern Band with flat land that is necessary for the construction of new school facilities. There are nearly 800 elementary aged children who attend classes in a building constructed to hold 480 and the building is located at the intersection of two federal highways. The Cherokee High School has also reached its maximum capacity and parts of it have been declared condemned and unfit for educational purposes.

Mr. Speaker, I believe it is our duty to correct this deplorable situation. The children and the youth of the Eastern Band of Cherokee deserve better. They deserve to attend school in a safe and conducive environment and I urge my colleagues to support this important legislation.

Mr. RAHALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks. I yield myself such time as I may consume.

In the time that I have had the honor to serve as the ranking member on the Resources Committee, I have never had to come to the floor to oppose a bill reported by the committee being considered under suspension of the rules.

Indeed, under former Chairman Jim Hansen, and during this Congress, under Chairman RICHARD POMBO, we have instilled a greater degree of bipartisanship when conducting committee business.

I realize some may not want to hear that.

Those who manipulate this body's schedule seeking to make political points—even if they last for a nano-second or do not even register in the public's mind—by overt partisanship maneuvers, no, they do not want to hear that.

The fact of the matter is that Chairman POMBO has been fair in his dealings with all Members. He has been extremely fair with me. So I do not believe that it was through his will that H.R. 1409 is being considered under suspension today.

This bill has been placed on the suspension calendar over my objection. It is a controversial measure and should be considered under regular order, with opportunities for Members to offer amendments and a full and open debate.

I suspect that some in the majority are eager to push this bill because they hope to make Democrats in the House choose between our friends in the Native American community and our passion for our National Parks. This is a false choice and we refuse to make it.

The condition of the facilities found on many Indian reservations is unacceptable. Far too often, Native Americans are forced to endure housing, medical facilities and educational facilities that many Americans would find shocking. However, carving out large chunks from the middle of our national parks, as H.R. 1409 would have us do, is not the solution to this problem.

H.R. 1409 purports to deal with the Eastern Band, but of course a lack of quality educational opportunities is a problem that plagues Native Americans across the land. We are eager to work with the chairman of the

Interior Appropriations Subcommittee—for whom I have a great deal of respect—to devise a solution to this problem that might help all Native American children. And we must find solutions that do not destroy our National Parks.

What the pending bill does is carve out a huge chunk of land from the heart of the Great Smokey Mountains National Park valued at more than \$3 million and trades it to the Eastern Band for land 30 miles away, not even within the park's boundaries, valued at \$600,000. The bill is an attempt to short-change the administrative process that is currently underway.

The National Park Service and a coalition of nonprofit environmental organizations are examining this proposed exchange as we speak. The NPS is putting the finishing touches on an Environmental Impact Statement that will address the obvious impacts this planned construction will have on the Park's resources, as well as the possibility of building the schools elsewhere.

The nonprofit groups have also publicly pledged to work with the Tribe to find an alternative site.

Once we have gathered all the facts, we could move forward with carefully crafted legislation if necessary to resolve the educational needs of the children of the Eastern Band without impacting a national treasure. And yet we are moving full steam ahead with this legislation, cutting off the NEPA process and abandoning any attempt at compromise.

This is particularly ironic given that language was included in the House-passed Interior Appropriations bill requiring further study of this proposal. Apparently, as recently as July, the supporters of this legislation felt that this proposed exchange raised concerns serious enough to warrant further study. To ram it through the House 2 months later is unwise and unwarranted.

I would raise one additional issue. It is passing strange that tomorrow the Resources Committee is scheduled to consider another bill concerning lands Indians lay claim to, but in that case, the proposed solution is to pay them off rather than cede them the land. Why the difference in approaches?

Simply put, the land in question in that case is rich in gold. It is valuable to the mining industry. Yet, the claims by the Western Shoshone to this land is well established.

I have to wonder whether the inconsistent approach between these two bills is related to the fact that the land taken from the Western Shoshone is known to be extremely valuable to mining companies, while in the case of H.R. 1409, the land in question is in a National Park.

To the Eastern Bank of the Cherokee, I understand that your history is one of broken treaties and stolen lands. It is the story of a great Indian nation hunted by the U.S. Cavalry, split at the seams, and forced either to escape to the mountains or to trudge along on a death march to a strange land.

The Eastern Band were able to escape the Trail of Tears and live in the mountains of North Carolina. They stayed together and rebuilt their nation.

I have nothing but respect for the Eastern Band, however, I must object to the consideration of H.R. 1409 under the suspension of the rules. If the administrative process underway is to be trammelled upon, I say to the pro-

ponents of this bill, at least bring it up under regular order.

I urge my colleagues to defeat this measure on suspension.

Mr. UDALL of Colorado. Mr. Speaker, I must object to the manner in which the House is taking up this bill, and cannot support the motion to suspend the normal rules that otherwise would apply to its consideration.

The bill would authorize an exchange of land between the Federal Government and an Indian tribe. The purpose of the exchange is to provide the tribe with land appropriate for building much-needed new schools. The land that would go to the tribe is now part of a national park, while the land that the government would receive is a park inholding.

The Resources Committee's hearing on the measure left me with no doubt about the tribe's need for those new schools—and of course that means that a suitable site is necessary.

But the hearing also made clear that the specific details of this bill, and the exchange it would mandate, are controversial and that the legislation is opposed strongly by a variety of people, both in North Carolina and here in Washington, DC.

Therefore, I think the House should consider the bill under procedures that would allow for more extensive debate and for the possibility of amendments—rather than through a motion to suspend the rules, which severely limits debate and does not allow for any amendments to be offered. Motions to suspend the rules should be used only for less controversial measures.

Accordingly, I will vote against the motion in this instance, and urge the leadership of the House to allow the House to consider H.R. 1409 under normal procedures.

Mr. BLUMENAUER. Mr. Speaker, I voted in favor of H.R. 1409, which would provide for an exchange of land with the Eastern Band of the Cherokee Nations. There had been some concerns raised by environmental interests, but evidence about the environmental merits of the exchange are mixed, and opinions are not unanimous.

Furthermore, the basic issue for me must be equitable treatment for Native Americans. This is an area where the relationship between the Federal Government and the Cherokee Nation is shameful. The history of this land includes the infamous Trail of Tears, and more recently, when the land was involved in a land exchange for building the Blue Ridge Parkway, a promise that was never fulfilled.

In cases like this where items are controversial, I give heavy weight to treating Native Americans fairly and whenever possible, to correct past injustices. This appears to meet that fundamental criterion and therefore I support it.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1409.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. CHRISTENSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MOUNT NAOMI WILDERNESS BOUNDARY ADJUSTMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 278) to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes.

The Clerk read as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mount Naomi Wilderness Boundary Adjustment Act".

SEC. 2. BOUNDARY ADJUSTMENTS.

(a) LANDS REMOVED.—The boundary of the Mount Naomi Wilderness is adjusted to exclude the approximately 31 acres of land depicted on the Map as "Land Excluded".

(b) LANDS ADDED.—Subject to valid existing rights, the boundary of the Mount Naomi Wilderness is adjusted to include the approximately 31 acres of land depicted on the Map as "Land Added". The Utah Wilderness Act of 1984 (Public Law 98-428) shall apply to the land added to the Mount Naomi Wilderness pursuant to this subsection.

SEC. 3. MAP.

(a) DEFINITION.—For the purpose of this Act, the term "Map" shall mean the map entitled "Mt. Naomi Wilderness Boundary Adjustment" and dated May 23, 2002.

(b) MAP ON FILE.—The Map shall be on file and available for inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(c) CORRECTIONS.—The Secretary of Agriculture may make technical corrections to the Map.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mount Naomi is located in the Wasatch-Cache National Forest in Utah and borders the eastern boundary of the city of Logan in my State. At over 44,000 acres, it is clearly one of the largest wilderness areas in the State of Utah and was designated in the Wilderness Act of 1984. Unfortunately, mysteriously, some utility poles have grown up in this wilderness area.

In reality, when it was created, by an oversight of Congress it encompassed an area which has utility corridors, both water and electricity. In addition to that utility corridor, there is a section of the Bonneville Shoreline Trail system that runs through this wilderness area. This is a trail system that connects northern and southern Utah.

It is extremely popular with bikers, hikers, equestrian traffic; and it is the only section of that trail system which actually happens to be in a wilderness area.

Seeing that problem, maintaining that utility corridor as well as maintaining that trail system in a wilderness area, the Forest Service and the local community have found a solution, which is in this particular bill. By taking 31 acres, which is the smallest footprint possible, on the western side of this wilderness area, which abuts the city of Logan, and transferring that out of the wilderness area and then finding on the eastern side of the wilderness area a section by the Forest Service 31 other acres which fits the contour of Mount Naomi and also has all the characteristics that are required for a wilderness area, we have been able to make an exchange which will allow the city of Logan to maintain their utility corridor, the State to maintain their trail system and also maintain the same acreage of wilderness in the State of Utah.

This has passed this particular House before. I hope to do it a second time and then solve this problem for the city of Logan as well as for the Forest Service, which has the support of the Forest Service and the local community and all other entities that I am aware that have an interest in this particular area. It is a good piece of legislation.

I definitely thank my colleagues on the committee for expediting its consideration, and I urge adoption of Senate bill 278.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, S. 278 would remove from the wilderness designation 31 acres of land in one section and would add 31 acres to another portion of the Mount Naomi Wilderness Act. Last Congress, the House passed identical legislation. S. 278 passed the Senate earlier this year.

We support this legislation.

Mr. Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the Senate bill, S. 278.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

EXTENDING AUTHORITY FOR CONSTRUCTION OF MEMORIAL TO MARTIN LUTHER KING, JR.

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1209) to extend the authority for the construction of a memorial to Martin Luther King, Jr., in the District of Columbia, and for other purposes.

The Clerk read as follows:

H.R. 1209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITY FOR CONSTRUCTION OF MEMORIAL TO MARTIN LUTHER KING, JR.

(a) EXTENSION.—Subsection (b) of section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4157; 40 U.S.C. 8903 note) is amended to read as follows:

“(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with chapter 89 of title 40, United States Code. Notwithstanding section 8903(e) of such title, the authority provided by this section expires November 12, 2006.”

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking “the Commemorative Works Act (40 U.S.C. 1001 et seq.)” and inserting “chapter 89 of title 40, United States Code”; and

(2) in subsection (d)—

(A) by striking “section 8(b) of the Commemorative Works Act” and inserting “section 8906(b) of title 40, United States Code”;

(B) by striking “section 10(b) of that Act” and inserting “subsection (b)”;

(C) by striking “section 8(b)(1) of that Act” and inserting “section 8906(b) of such title”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1209, introduced by the gentlewoman from California (Ms. WATSON), would extend the authority for the construction of a memorial to Dr. Martin Luther King, Jr., in our Nation's capital. H.R. 1209 would simply extend to November 2006 the authorization given to the site's sponsor, Alpha Phi Alpha Fraternity, in the Omnibus Parks And Public Land Management Act of 1996 to raise further funds to build the memorial to Dr. King.

Mr. Speaker, H.R. 1209 is strongly supported by the administration and the majority and minority of the Committee on Resources. I urge my colleagues to support H.R. 1209.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1209, introduced by the gentlewoman from California (Ms. WATSON), our colleague who we will hear from in a short time, is a simple piece of legislation that extends for 3 years the authority for the construction of a me-

morial to Dr. Martin Luther King, Jr., here in the District of Columbia.

In 1996, Public Law 104-333 authorized the Alpha Phi Alpha Fraternity, through the Martin Luther King Memorial Project Foundation, to establish a memorial here in our Nation's capital to America's foremost civil rights leader.

Since that time, the sponsors have worked diligently to secure a memorial site and design approvals. In addition, there is a significant fund-raising campaign underway to secure the necessary funds to build and maintain the memorial. However, not all of the necessary funds have been secured, and ground cannot be broken until the funds are in place. That is the reason we are asking for the extension.

Mr. Speaker, it was only a few short weeks ago that a ceremony was held on the steps of the Lincoln Memorial to dedicate a plaque marking the spot where Dr. Martin Luther King, Jr., delivered his famous “I have a dream” speech 40 years ago.

The proposed memorial will complement both this site and the Martin Luther King, Jr., National Historic Site in Atlanta in providing for present and future generations a greater understanding of the accomplishments of Dr. King in the cause for civil rights.

Mr. Speaker, I strongly support H.R. 1209 and urge its adoption by the House today; and at this time I would like to thank the gentlewoman from California (Ms. WATSON), who introduced this bill, for her leadership in shepherding this bill through the committee process and to the floor.

Mr. Speaker, I yield such time as she might consume to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise today in support of the bill, H.R. 1209, to extend the authority for the construction of a memorial to Reverend Dr. Martin Luther King, Jr., on the National Mall.

□ 1530

The authorization set by Congress in 1996 to raise funds for the memorial will expire on November 12, which happens to be my birthday, so I would like to extend the authorization until November 12, 2006.

The tireless efforts by the King Memorial Foundation to raise \$100 million for the construction and maintenance of the project have been strong, but more time is needed to reach its fund-raising goal, and I believe it is our job as lawmakers to ensure that Dr. King will be memorialized in a manner that befits his legacy.

The idea of putting a King Memorial in the Tidal Basin on the National Mall between the Lincoln and Jefferson Memorials is a privilege within itself, and Dr. King deserves such an honor. However, Congress must authorize more time for funds to be raised to build the King Memorial, and it is a huge project.

Our National Mall is representative of the rich history and the strength of

our Nation. Dr. King is one of our Nation's most important leaders, and this monument should carry the same weight and significance as other distinguished Americans who have been honored with memorials.

Congressional leaders, including the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), also support the effort to put Dr. King's legacy at Washington's forefront. They, along with several other of my colleagues, sit on an honorary bipartisan congressional committee for the Martin Luther King, Jr. National Memorial.

Dr. King's preachings of nonviolent civil disobedience to combat segregation and racial equality affected not only minorities but every culture and creed in this Nation. In 1963, Dr. King led the march on Washington, very near the site where we wish to honor him today. Dr. King's leadership also helped in the passage of the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Dr. King acted on his dream for America and succeeded in making the United States a better place. We must ensure that Dr. King's valiant efforts will be remembered by generations yet to come.

Mr. Speaker, I ask my colleagues to join me in keeping the dream alive set forth by Dr. King and help continue to honor him amongst our Nation's finest.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from the Virgin Islands for her leadership, and the gentleman from Arizona (Mr. RENZI) for his leadership. And my thanks go to the committee for being so forthright in its movement of this legislation, particularly to my friend and colleague, the gentlewoman from California (Ms. WATSON) for her vision of putting forth this legislation recognizing, if you will, the high mountains that this very able partnership has to climb.

So I rise this afternoon to enthusiastically support H.R. 1209, which, Mr. Speaker, is a simple premise, and that is to applaud and reaffirm the commitment of the many sponsors, corporations, board members and organizations that have collaborated together to provide the \$100 million which will provide us the opportunity to acknowledge and recognize Dr. Martin Luther King, Jr. with a memorial in Washington, D.C., the Nation's Capital.

Let me note that one of the pivotal roles being played in this partnership is that of the Alpha Phi Alpha Fraternity, Inc., in which Dr. King was a member. Alpha Phi Alpha Fraternity and other organizations have partnered in order to raise the funds needed for the memorial.

The objectives of this fraternity are to stimulate the ambition of its members; to prepare them for the greatest

usefulness in the community and in the cause of humanity, freedom and dignity of the individual; to encourage the highest and noblest form of manhood; and to aid downtrodden humanity in its efforts to achieve higher social economic and intellectual status. Certainly these concepts epitomized the life that Dr. King lived and, as well, what he embodied.

Everywhere I go in the United States there is a great deal of excitement that we have the opportunity to honor Dr. Martin Luther King, his legacy and his life, here in Washington, D.C., the Nation's Capital, a Capital that belongs to all of the Nation, and a Capital that the world admires. I am delighted to have as my constituent, Harry E. Johnson, the 31st General President of the Alpha Phi Alpha, Inc., who has been president since the year 2000. Though he is a native of St. Louis, Missouri, he is a current resident of Houston, Texas, and he has been key in leading and fostering the movement of providing resources to ensure that we have the dollars for this very monumental and important tribute to Dr. Martin Luther King.

I believe, Mr. Speaker, that the Nation is better when we reflect upon the diversity of our Nation. Certainly, recognizing that the original settlers or the original people of this great continent and great Nation are the Native Americans, but since that time we have welcomed to this Nation in many different ways, some more sadder than others, different groups from around the world. And naturally, of course, I as an African American, first came to this Nation in the bottom of a belly of a slave boat. Dr. Martin Luther King, in the 20th Century, rose to be able to establish the equality and justice for all. He did it through peaceful and non-violent ways.

As a follower of Ghandi, Dr. King brought to this Nation a concept of turning the other cheek. He was able to march, he was able to walk, he was able to talk, and he was able to generate the excitement and coalition of people of good will and good faith from all over the Nation no matter what their race, no matter what their religious or ethnic background. Dr. Martin Luther King focused on the fact that we all are created equal. He focused on the fact that we were a people united. I believe his monument in this Capital would be symbolic of where the Nation needs to go.

We have not yet reached the dream of Dr. Martin Luther King. Just today in Houston, Texas, many of my constituents and others will be launching Immigration Freedom Ride. They will be traveling from California to Washington, D.C., and then on to New York to speak for the rights of immigrants and to express the fact that they are in need of rights and justice too.

I was moved to hear them speak this past weekend as they indicated that their organization and their movement was inspired by the work and life of Dr.

Martin Luther King. They said, and rightfully so, that it is time now for the immigration movement and the Civil Rights movement to intertwine. Based upon the leadership of Dr. Martin Luther King, these new immigrants, these individuals seeking access to legalization, the very same people who have offered their lives in Operation Iraqi Freedom, who are not yet citizens, who deserve our appreciation, and who are going to now bus ride across America to express their need for just rights were inspired by Dr. Martin Luther King.

Might I also say that it is important in this time to give tribute to Dr. King on the basis of his call for peace and justice. He was a man who believed in nonviolent action, and he was a man who believed in peace over war and life over death. Now, in the backdrop of the violence of terrorism, but particularly in the predicament we find ourselves in Operation Iraqi Freedom, with our young men and women on the front lines and with a cry by the world for peace in the Middle East, it is important to honor Dr. Martin Luther King, a man of freedom, a man who promoted equality, a man of peace, a man who applauded and respected the diversity of this Nation.

This is appropriate legislation that extends the time for us to be able to honor him by giving more time to raise the dollars until November 12, 2006. I ask my colleagues to vote for this legislation.

Mr. Speaker, I rise in support of H.R. 1209 to extend the authority for the construction of a memorial to Dr. Martin Luther King, Jr. in the District of Columbia, and for other purposes. First, I extend my thanks to our colleague Congresswoman DIANE WATSON for sponsoring this legislation. Constructing a memorial to this great man is important to the collective memory and spirit of this country.

A worthy partnership has been created with private organizations lead by the Alpha Phi Alpha Fraternity, Incorporated, of which Dr. King was a member. Alpha Phi Alpha Fraternity, Inc. and other organizations have partnered to raise the funds that are needed to design the memorial.

The objectives of Alpha Phi Alpha Fraternity, Inc. are to stimulate the ambition of its members; to prepare them for the greatest usefulness in the cause of humanity, freedom, and dignity of the individual; to encourage the highest and noblest form of manhood; and to aid downtrodden humanity in its efforts to achieve higher social, economic, and intellectual status. Dr. Martin Luther King, Jr. was a man who embodied all of these objectives, and it is only apropos that we in the House of Representatives do what we can to facilitate the timely construction of a memorial to show our appreciation. Other prominent members of the organization include the Honorable Andrew Young, the Honorable David Denkins, Julius L. Chambers, Lester Granger, Frederick Douglass, W.E.B. Dubois, Adam Clayton Powell, Justice Thurgood Marshall, Paul Robeson, Dick Gregory, William Gray, and Franklin Williams among many others.

Harry E. Johnson, Sr., is the 31st General President of Alpha Phi Alpha, Inc. and has

been since 2000. A native of St. Louis, MO and current resident of Houston, Texas with his family, Bro. Harry E. Johnson practices Law in Houston, Texas and serves as an adjunct professor of law at Texas Southern University's Thurgood Marshall School of Law in the city. Additionally, he has completed post Baccalaureate work in Public Administration at Washington University in St. Louis, Missouri and earned his Doctor of Jurisprudence from Thurgood Marshall School of Law in Houston, Texas. Mr. Johnson was elected to the National Board of Directors of Big Brothers Big Sisters of America during October 2001. He also serves on the Council of Presidents of the National Pan Hellenic Council, which is an organization composed of the nine historically black fraternities and sororities that is responsible for coordinating collaborative responses to issues impacting black fraternities and sororities and community outreach initiatives.

His other professional affiliations include the National Bar Association, American Bar Association, NAACP, and the Boy Scouts of America. Since his election as the 31st General President of the Alpha Phi Alpha Fraternity, Inc., Harry E. Johnson has worked to reinvigorate the Fraternity's active membership through promotion of community-based mentoring, as aggressive reclamation and retention initiative that features the highly acclaimed "Value Added Services" Program, as well as many other innovations within the Fraternity.

Through his involvement in activities that affect the youth and historically disadvantaged groups in this nation, Harry E. Johnson, Sr. has shown that he has committed himself to carrying forth the high standards that have been established by Dr. Martin Luther King, Jr. H.R. 1209 will extend the 1996 authorization to construct a memorial to Dr. King. I am pleased to note that when the legislation was introduced, it received broad bipartisan support. The fraternity is now on the way to securing enough funds to complete this project. The expedient passage of this bill will help them achieve this goal.

Dr. King was a giant among men whose legacy has blazed a trail for us all. He was remarkable in his accomplishments, and he helped created a remarkable change in our nation. For that we are all grateful, and although this memorial will be a handsome tribute, it will still not be sufficient to demonstrate all that Dr. King has meant to this country.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume and take this opportunity to once again commend my colleague, the gentlewoman from California (Ms. WATSON), for introducing this legislation giving the Alpha Phi Alpha Fraternity an opportunity to make this dream a reality.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume, and, in closing, I want to thank the articulation, the continued teaching that all of my colleagues have given us, this Nation, on the life and the legacy of Dr. King. I cannot think of a more hopeful tribute that this Nation is going to have, the idea of the gentlewoman from California (Ms. WATSON), this vision she has brought of Dr. King's statue being here in Washington

where millions of Americans, young Americans especially, will come and learn firsthand the lessons of Dr. King. So I thank her for her leadership, her vision, and the hope that she brings.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1209.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DIRECTING SECRETARY OF INTERIOR TO CONDUCT STUDY TO DETERMINE NATIONAL SIGNIFICANCE OF MIAMI CIRCLE IN FLORIDA AND OF ITS INCLUSION IN NATIONAL PARK SYSTEM AS PART OF BISCAYNE NATIONAL PARK

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 111) to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes.

The Clerk read as follows:

S. 111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIAL RESOURCE STUDY.

(a) STUDY.—Not later than 3 years after the date funds are made available, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall conduct a special resource study to determine the national significance of the Miami Circle archaeological site in Miami-Dade County, Florida (hereinafter referred to as "Miami Circle"), as well as the suitability and feasibility of its inclusion in the National Park System as part of the Biscayne National Park. In conducting the study, the Secretary shall consult with the appropriate American Indian tribes and other interested groups and organizations.

(b) CONTENT OF STUDY.—In addition to determining national significance, feasibility, and suitability, the study shall include the analysis and recommendations of the Secretary on—

(1) any areas in or surrounding the Miami Circle that should be included in Biscayne National Park;

(2) whether additional staff, facilities, or other resources would be necessary to administer the Miami Circle as a unit of Biscayne National Park; and

(3) any effect on the local area from the inclusion of Miami Circle in Biscayne National Park.

(c) SUBMISSION OF REPORT.—Not later than 30 days after completion of the study, the Secretary shall submit a report on the findings and recommendations of the study to the Committee on Energy and Natural Re-

sources of the Senate and the Committee on Resources of the United States House of Representatives.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 111, introduced by Senator BOB GRAHAM of Florida, and passed by the Senate earlier this year, would authorize the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle as well as the suitability and feasibility of its inclusion as part of the Biscayne National Park.

Miami Circle, a 2.2-acre archeological site discovered in 1998, is presumed to have been constructed by the Tequesta Indians about 2,000 years ago. The Tequesta Indians are thought to be among the first people to establish permanent villages in southeast Florida.

The bill is supported by the administration and the majority and the minority of the committee, and I urge my colleagues to support S. 111.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 111 authorizes a special resource study to determine the national significance of the Miami Circle as well as the feasibility of including the site in the Biscayne National Park. Miami Circle is an archeological site discovered in 1998, located in Miami-Dade County, Florida. The most important features of the site are 24 large basin-holes carved into the limestone bedrock forming a circle approximately 38 feet in diameter. The circle is thought to be the footprint of a structure built by Native Americans and may date back 2,000 years.

Our former colleague, Representative Carrie Meek, worked tirelessly on this legislation, and now her successor in this office, the gentleman from Florida (Mr. MEEK) has taken up the banner for this important project. We are eager to see this study move forward as a small part of the huge legacy that has remained after Ms. Meek's retirement, and because the historical and culture resources present at this site are potentially invaluable.

Mr. Speaker, this measure passed the Senate by unanimous consent and passed the House during the previous Congress, and so we urge our colleagues to support S. 111 at this time.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for yielding me this time. I also wish to thank the members of this committee and the chairman of the Committee on Resources, the gentleman from California (Mr. POMBO), as well as the chairman of the subcommittee. Additional thanks to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Committee on Resources. I met both of them in the course of consideration of this legislation, and I am very much appreciative of the fact that with their assistance, we were able to move this legislation forward to the floor today.

Mr. Speaker, this is very important to every Floridian and should be important to every American as it relates to the Tequesta Indians and what they were able to do in such a time, in prehistoric time, as relates to having a sun dial, or a dial to be able to determine the months of the year or the time of day. This is definitely something that we find is a gift in south Florida.

Those individuals that believe in preservation in Florida put together their resources to make sure we make it to this point. I would like to commend Senator BOB GRAHAM of Florida for bringing this bill up. I would like to also commend Congresswoman Carrie Meek for her work in the last Congress in bringing this bill to the floor. I would also like to thank the Florida delegation for its work in a bipartisan way to make sure this bill made it to the floor and supporting it as cosponsors.

This bill would authorize the Secretary of the Interior to conduct a feasibility study on the possibility of inclusion of the Miami Circle, which we call it now, as a part of the National Park System, as a part of Biscayne Bay National Park. The Circle is truly a wonderful historic site. In 1998, workers preparing land for development at the mouth of the Miami River noticed a strange circle formation in the limestone bedrock, which we call the Miami Circle.

□ 1545

The circle itself is 38 feet in diameter within a 2.2-acre archaeological site in downtown Miami. It is very interesting because the developers, when they stumbled upon this site, thought it was quite interesting, and individuals in Miami raised almost \$2.4 million to be able to purchase the land.

Mr. Speaker, this would point the National Park Service into conducting a study and must give consideration to be able to add this to Biscayne National Park, which is one of our national treasures.

Mr. Speaker, I urge Members to vote for this bill to allow it to become law so we can preserve and learn more about what these Tequesta Indians put together almost 2,000 years ago, which is definitely a part of our civilization.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to urge the passage of S. 111, a bill to study the inclusion of the Miami Circle in the Biscayne National Park. This important archaeological site must be preserved for education and cultural benefit.

Over 2,000 years ago, the Tequesta civilizations inhabited the Biscayne and Miami Circle areas in what is present-day Miami. Although at times numbering only 800 inhabitants, the Tequesta were one of the largest South Florida civilizations. Their marine village consisted of a complex network of jobs, including set tasks for fishing and gathering of food. As a result of disease and territory disputes, the Tequesta began to lose power and eventually all but disappear in the early 1800's, but their society remains a historical part of South Florida.

While speculation continues on the use of the Miami Circle site, its archaeological importance is unquestioned. Many scholars believe that the site was used as a large astronomical tool or a center of culture in their society. On a national scale, the Miami Circle deserves preservation as the only cut-in-rock prehistoric footprint in the United States. While many of the smaller Tequesta sites are included in Biscayne Bay National park, this new site which is thought to house the bulk of the civilization remains an unprotected treasure.

Mr. Speaker, S.111 is a good bill and one that will continue the efforts of this Congress to preserve our important historical places across the Nation. To study the inclusion of the Miami Circle in the Biscayne National Park is a significant step towards our goals and I urge its passage.

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman from Arizona (Mr. RENZI) and the Republican members of the committee for their strong support for this bill, which has been a bipartisan effort, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 111.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. RENZI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CONFERENCE REPORT ON H.R. 2555, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

Mr. ROGERS of Kentucky (during consideration of H.R. 1409) submitted

the following conference report and statement on the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes:

CONFERENCE REPORT (H. REPT. 108-280)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2555) "making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$80,794,000: Provided, That not to exceed \$40,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management and Administration, as authorized by sections 701-705 of the Homeland Security Act of 2002 (6 U.S.C. 341-345), \$130,983,000: Provided, That of the total amount provided, \$20,000,000 shall remain available until expended solely for the alteration and improvement of facilities and for relocation costs necessary for the interim housing of the Department's headquarters' operations and organizations collocated therewith.

DEPARTMENT-WIDE TECHNOLOGY INVESTMENTS

For development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security, and for the costs of conversion to narrowband communications, including the cost for operation of the land mobile radio legacy systems, \$185,000,000, to remain available until expended: Provided, That none of the funds appropriated shall be used to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology project or the Automated Commercial Environment.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$58,664,000, of which not to exceed \$100,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY SALARIES AND EXPENSES

For necessary expenses of the Office of the Under Secretary for Border and Transportation

Security, as authorized by subtitle A, title IV, of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.), \$8,106,000.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the development of the United States Visitor and Immigrant Status Indicator Technology project, as authorized by section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (8 U.S.C. 1221 note), \$330,000,000, to remain available until expended: Provided, That none of the funds appropriated under this heading may be obligated for the United States Visitor and Immigrant Status Indicator Technology project until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 3; (2) complies with the Department of Homeland Security enterprise information systems architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Department of Homeland Security and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office.

CUSTOMS AND BORDER PROTECTION
SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, and agricultural inspections and regulatory activities related to plant and animal imports; acquisition, lease, maintenance and operation of aircraft; purchase and lease of up to 4,500 (3,935 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; \$4,396,350,000; of which \$3,000,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to Public Law 103-182 and notwithstanding section 1511(e)(1) of Public Law 107-296; of which not to exceed \$40,000 shall be for official reception and representation expenses; of which not to exceed \$100,800,000 shall remain available until September 30, 2005, for inspection technology; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Under Secretary for Border and Transportation Security; and of which not to exceed \$5,000,000 shall be available for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration: Provided, That none of the funds appropriated shall be available to compensate any employee for overtime in an annual amount in excess of \$30,000, except that the Under Secretary for Border and Transportation Security may exceed that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That of the total amount provided, \$12,725,000 shall be for activities to enforce laws against forced child labor in fiscal year 2004, of which not to exceed \$4,000,000 shall remain available until expended: Provided further, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector: Provided further, That the Border Patrol shall relocate its checkpoints in the

Tucson sector at least once every 7 days in a manner designed to prevent persons subject to inspection from predicting the location of any such checkpoint.

AUTOMATION MODERNIZATION

For expenses for customs and border protection automated systems, \$441,122,000, to remain available until expended, of which not less than \$318,690,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Under Secretary for Border and Transportation Security that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 3; (2) complies with the Bureau of Customs and Border Protection's enterprise information systems architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Bureau of Customs and Border Protection Investment Review Board, the Department of Homeland Security, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of laws relating to customs and immigration, \$90,363,000, to remain available until expended.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations; and purchase and lease of up to 1,600 (1,450 for replacement only) police-type vehicles; \$2,151,050,000, of which not to exceed \$5,000,000 shall be available until expended for conducting special operations pursuant to section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$15,000 shall be for official reception and representation expenses; of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Under Secretary for Border and Transportation Security; of which not less than \$100,000 shall be for promotion of public awareness of the child pornography tipline; of which not less than \$200,000 shall be for Project Alert; and of which not to exceed \$5,000,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: Provided, That none of the funds appropriated shall be available to compensate any employee for overtime in an annual amount in excess of \$30,000, except that the Under Secretary for Border and Transportation Security may waive that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That of the total amount provided, \$3,000,000 shall be for activities to enforce laws against forced child labor in fiscal year 2004, of which not to exceed \$1,000,000 shall remain available until expended.

In addition, of the funds appropriated under this heading in chapter 6 of title I of Public Law 108-11 (117 Stat. 583), \$54,000,000 are rescinded.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal air marshals, \$626,400,000, to remain available until expended.

FEDERAL PROTECTIVE SERVICE

(TRANSFER OF FUNDS)

For necessary expenses for the operations of the Federal Protective Service, \$424,211,000 shall be transferred from the revenues and collections in the General Services Administration, Federal Buildings Fund.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, \$40,000,000, to remain available until expended: Provided, That none of the funds appropriated under this heading may be obligated for Atlas until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Under Secretary for Border and Transportation Security that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 3; (2) complies with the Bureau of Immigration and Customs Enforcement enterprise information systems architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Bureau of Immigration and Customs Enforcement Investment Review Board, the Department of Homeland Security, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office.

AIR AND MARINE INTERDICTION, OPERATIONS,

MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, and other related equipment of the air and marine program, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Bureau of Immigration and Customs Enforcement; and at the discretion of the Under Secretary for Border and Transportation Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, \$210,200,000, to remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to Bureau of Immigration and Customs Enforcement requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2004 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$26,775,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597), \$3,732,700,000, to remain available until expended, of which not to exceed \$3,000 shall be for official reception and representation expenses: Provided, That of the total amount provided under this heading, not to exceed \$1,805,700,000 shall be for passenger screening activities; not to exceed \$1,318,700,000 shall be for baggage screening activities; and not to exceed \$703,300,000 shall be

for airport security direction and enforcement presence: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections: Provided further, That none of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended to carry out provisions of section 44923(h) of title 49 United States Code: Provided further, That the sum herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2004, so as to result in a final fiscal year appropriation from the General Fund estimated at not more than \$1,662,700,000: Provided further, That any security service fees collected pursuant to section 118 of Public Law 107-71 in excess of the amount appropriated under this heading shall be treated as offsetting collections in fiscal year 2005: Provided further, That none of the funds in this Act shall be used to recruit or hire personnel into the Transportation Security Administration which would cause the agency to exceed a staffing level of 45,000 full-time equivalent screeners: Provided further, That of the total amount provided under this heading, \$250,000,000 shall be available only for physical modification of commercial service airports for the purpose of installing checked baggage explosive detection systems and \$150,000,000 shall be available only for procurement of checked baggage explosive detection systems.

MARITIME AND LAND SECURITY

For necessary expenses of the Transportation Security Administration related to maritime and land transportation security grants and services pursuant to the Aviation and Transportation Security Act (49 U.S.C. 40101 note), \$263,000,000, to remain available until September 30, 2005: Provided, That of the total amount provided under this heading, \$125,000,000 shall be available for port security grants, which shall be distributed under the same terms and conditions as provided for under Public Law 107-117; and \$17,000,000 shall be available to execute grants, contracts, and interagency agreements for the purpose of deploying Operation Safe Commerce.

INTELLIGENCE

For necessary expenses for intelligence activities pursuant to the Aviation and Transportation Security Act (115 Stat. 597), \$13,600,000.

RESEARCH AND DEVELOPMENT

For necessary expenses for research and development related to transportation security, \$155,200,000, to remain available until expended: Provided, That of the total amount provided under this heading, \$45,000,000 shall be available for the research and development of explosive detection devices.

ADMINISTRATION

For necessary administrative expenses of the Transportation Security Administration to carry out the Aviation and Transportation Security Act (115 Stat. 597), \$427,200,000, to remain available until September 30, 2005.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard not otherwise provided for; purchase or lease of not to exceed twenty-five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note); section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; \$4,713,055,000, of which \$340,000,000 shall be for defense-related activities; of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which not to exceed \$3,000 shall be for official reception and representation expenses: Provided, That none of the funds appropriated by this or any other Act shall be available for administrative expenses in connection with shipping commissioners in the United States: Provided further, That none of the funds provided by this Act shall be available for expenses incurred for yacht documentation under section 12109 of title 46, United States Code, except to the extent fees are collected from yacht owners and credited to this appropriation: Provided further, That notwithstanding section 1116(c) of title 10, United States Code, amounts made available under this heading may be used to make payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund for fiscal year 2004 under section 1116(a) of such title.

In addition, of the funds appropriated under this heading in chapter 6 of title I of Public Law 108-11 (117 Stat. 583), \$71,000,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$17,000,000, to remain available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$95,000,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; \$967,200,000, of which \$23,500,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$66,500,000 shall be available until September 30, 2008, to acquire, repair, renovate, or improve vessels, small boats, and related equipment; of which \$162,500,000 shall be available until September 30, 2006, for other equipment, including \$3,500,000 for defense message system implementation and \$1,000,000 for oil spill prevention efforts under the Ports and Waterways Safety Systems program; of which \$70,000,000 shall be available for personnel compensation and benefits and related costs; of which \$668,200,000 shall be available until September 30, 2008, for the Integrated Deepwater Systems program: Provided, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and shall be available until September 30, 2006, only for Rescue 21: Provided further, That upon initial submission to the Congress of the fiscal year 2005 President's budget, the Secretary of Homeland Security shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard that includes funding for each budget line item for fiscal years 2005 through 2009, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$19,250,000, to remain available until expended: Provided, That in fiscal year 2004 and thereafter, funds for bridge alteration projects conducted pursuant to the Act of June 21, 1940 (33 U.S.C. 511 et seq.) shall be available for such projects only to the extent that the steel, iron, and manufactured products used in such projects are produced in the United States, unless contrary to law or international agreement, or unless the Commandant of the Coast Guard determines such action to be inconsistent with the public interest or the cost unreasonable.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation, and

for maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; \$15,000,000, to remain available until expended, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,020,000,000.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 730 vehicles for police-type use, of which 610 shall be for replacement only, and hire of passenger motor vehicles; purchase of American-made sidecar compatible motorcycles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; conduct of and participation in firearms matches; presentation of awards; travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$1,137,280,000, of which not to exceed \$25,000 shall be for official reception and representation expenses; of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which \$2,100,000 shall be for forensic and related support of investigations of missing and exploited children; and of which \$5,000,000 shall be a grant for activities related to the investigations of exploited children and shall remain available until expended: Provided, That up to \$18,000,000 provided for protective travel shall remain available until September 30, 2005: Provided further, That in fiscal year 2004 and thereafter, subject to the reimbursement of actual costs to this account, funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers, training Federal law enforcement officers, training State and local government law enforcement officers on a space-available basis, and training private sector security officials on a space-available basis: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from agencies and entities, as defined in section 105 of title 5, United States Code, receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under

this heading at the end of the fiscal year: Provided further, That in fiscal year 2004 and thereafter, the James J. Rowley Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS,
AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, \$3,579,000, to remain available until expended.

TITLE III—PREPAREDNESS AND
RECOVERY

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, notwithstanding any other provision of law, \$3,287,000,000, which shall be allocated as follows:

(1) \$1,700,000,000 for formula-based grants and \$500,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT Act of 2001 (42 U.S.C. 3714): Provided, That no funds shall be made available to any State prior to the submission of an updated State plan to the Office for Domestic Preparedness: Provided further, That the application for grants shall be made available to States within 30 days after enactment of this Act; that States shall submit applications within 30 days after the grant announcement; and that the Office for Domestic Preparedness shall act within 15 days after receipt of an application or receipt of an updated State plan, whichever is later: Provided further, That each State shall obligate not less than 80 percent of the total amount of the grant to local governments within 60 days after the grant award; and

(2) \$725,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: Provided, That no less than 80 percent of any grant to a State shall be made available by the State to local governments within 60 days after the receipt of the funds: Provided further, That section 1014(c)(3) of the USA PATRIOT Act of 2001 (42 U.S.C. 3714(c)(3)) shall not apply to these grants:

Provided, That none of the funds appropriated under this heading shall be used for the construction or renovation of facilities: Provided further, That funds appropriated for law enforcement terrorism prevention grants under paragraph (1) and discretionary grants under paragraph (2) of this heading shall be available for operational costs, to include personnel overtime and overtime associated with Office for Domestic Preparedness certified training, as needed.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), \$750,000,000, to remain available until September 30, 2005: Provided, That not to exceed 5 percent of this amount shall be available for program administration.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary of Homeland Security, to reimburse any Federal agency for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities, \$10,000,000, to remain available until expended: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 15 days prior to the obligation of any amount of these funds in accordance with section 503 of this Act.

EMERGENCY PREPAREDNESS AND RESPONSE
OFFICE OF THE UNDER SECRETARY FOR
EMERGENCY PREPAREDNESS AND RESPONSE

For necessary expenses for the Office of the Under Secretary for Emergency Preparedness and Response, as authorized by section 502 of the Homeland Security Act of 2002 (6 U.S.C. 312), \$3,450,000.

PREPAREDNESS, MITIGATION, RESPONSE, AND
RECOVERY

For necessary expenses for preparedness, mitigation, response, and recovery activities of the Emergency Preparedness and Response Directorate, \$225,000,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): Provided, That of the total amount appropriated, \$60,000,000 shall be for Urban Search and Rescue Teams, of which not to exceed 3 percent may be made available for administrative costs.

ADMINISTRATIVE AND REGIONAL OPERATIONS

For necessary expenses for administrative and regional operations of the Emergency Preparedness and Response Directorate, \$167,000,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): Provided, That not to exceed \$3,000 shall be for official reception and representation expenses.

OPERATING EXPENSES

(RESCISSION OF FUNDS)

Of the funds appropriated under this heading by chapter 6 of title I of Public Law 108-11 (117 Stat. 583), \$3,000,000 are rescinded.

PUBLIC HEALTH PROGRAMS

For necessary expenses for countering potential biological, disease, and chemical threats to civilian populations, \$484,000,000, including \$400,000,000, to remain available until expended, for the Strategic National Stockpile.

BIODEFENSE COUNTERMEASURES

For necessary expenses for securing medical countermeasures against biological terror attacks, \$5,593,000,000, to remain available until September 30, 2013: Provided, That not to exceed \$3,418,000,000 may be obligated during fiscal years 2004 through 2008, of which not to exceed \$890,000,000 may be obligated during fiscal year 2004.

RADIOLOGICAL EMERGENCY PREPAREDNESS
PROGRAM

The aggregate charges assessed during fiscal year 2004, as authorized by the Energy and Water Development Appropriations Act, 2001 (Public Law 106-377; 114 Stat. 1441A-59 et seq.), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting

such fees: Provided further, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2004, and remain available until expended.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$1,800,000,000, to remain available until expended; of which not to exceed \$22,000,000 shall be transferred to and merged with the appropriation for "Office of Inspector General" for audits and investigations.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM
ACCOUNT

For administrative expenses to carry out the direct loan program, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), \$560,000: Provided, That gross obligations for the principal amount of direct loans shall not exceed \$25,000,000: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

NATIONAL PRE-DISASTER MITIGATION FUND

For a pre-disaster mitigation grant program pursuant to title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.), \$150,000,000, to remain available until expended: Provided, That grants made for pre-disaster mitigation shall be awarded on a competitive basis subject to the criteria in section 203(g) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(g)): Provided further, That, notwithstanding section 203(f) of that Act (42 U.S.C. 5133(f)), grant awards shall be made without reference to State allocations, quotas, or other formula-based allocation of funds: Provided further, That total administrative costs shall not exceed 3 percent of the total appropriation.

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), \$200,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act, to remain available until expended: Provided, That total administrative costs shall not exceed 3 percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), not to exceed \$32,663,000 for salaries and expenses associated with flood mitigation and flood insurance operations; and not to exceed \$77,809,000 for flood hazard mitigation, to remain available until September 30, 2005, including up to \$20,000,000 for expenses under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2005, and which amount shall be derived from offsetting collections assessed and collected pursuant to section 1307 of that Act (42 U.S.C. 4014), and shall be retained and used for necessary expenses under this heading: Provided, That in fiscal year 2004, no funds in excess of: (1) \$55,000,000 for operating expenses; (2) \$565,897,000 for agents' commissions and taxes; and (3) \$40,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding subparagraphs (B) and (C) of subsection (b)(3), and subsection (f) of section

1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), \$20,000,000, to remain available until September 30, 2005, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which \$20,000,000 shall be derived from the National Flood Insurance Fund.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$180,000,000: Provided, That total administrative costs shall not exceed 3 percent of the total appropriation.

EMERGENCY FOOD AND SHELTER

To carry out an emergency food and shelter program pursuant to title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$153,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3.5 percent of the total appropriation.

CERRO GRANDE FIRE CLAIMS

For payment of claims under the Cerro Grande Fire Assistance Act (Public Law 106-246; 114 Stat. 583), \$38,062,000, to remain available until expended: Provided, That not to exceed 5 percent may be made available for administrative costs.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES

CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, including international services, \$236,126,000, of which not to exceed \$5,000 shall be for official reception and representation expenses.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal cell phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$155,423,000, of which up to \$36,174,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2005; and of which not to exceed \$12,000 shall be for official reception and representation expenses: Provided, That in fiscal year 2004 and thereafter, the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes: Provided further, That in fiscal year 2004 and thereafter, the Center is authorized to accept detailees from other Federal agencies, on a non-reimbursable basis, to staff the accreditation function: Provided further, That in fiscal year 2004 and thereafter, students attending training at any Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That in fiscal year 2004 and thereafter, funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law

enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken under section 801 of the Antiterrorism and Effective Death Penalty Act of 1996 (28 U.S.C. 509 note); training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That in fiscal year 2004 and thereafter, the Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$37,357,000, to remain available until expended: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the immediate Office of the Under Secretary for Information Analysis and Infrastructure Protection and for management and administration of programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$125,000,000.

ASSESSMENTS AND EVALUATIONS

For expenses for information analysis and infrastructure protection as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$714,300,000, to remain available until September 30, 2005.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the immediate Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$44,168,000.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For expenses of science and technology research, including advanced research projects; development; test and evaluation; acquisition; and operations, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$874,000,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act: Provided, That balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriation

Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; or (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose, unless both Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriation Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by the Congress; or (3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriation Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) of this section and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

SEC. 504. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2004 from appropriations for salaries and expenses for fiscal year 2004 in this Act shall remain available through September 30, 2005, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 505. In fiscal year 2004 and thereafter, unless otherwise provided, funds may be used for purchase of uniforms without regard to the general purchase price limitation for the current fiscal year; purchase of insurance for official motor vehicles operated in foreign countries; entering into contracts with the Department of State to furnish health and medical services to employees and their dependents serving in foreign countries; services authorized by section 3109 of title 5, United States Code; and the hire and purchase of motor vehicles, as authorized by section 1343 of title 31, United States Code: Provided, That purchase for police-type use of passenger vehicles may be made without regard to the general purchase price limitation for the current fiscal year.

SEC. 506. The Federal Emergency Management Agency "Working Capital Fund" shall be available to the Department of Homeland Security, as authorized by sections 503 and 1517 of the Homeland Security Act of 2002 (6 U.S.C. 313, 557), for expenses and equipment necessary for maintenance and operations of such administrative services as the Secretary of Homeland Security determines may be performed more advantageously as central services: Provided, That such fund shall hereafter be known as the "Department of Homeland Security Working Capital Fund".

SEC. 507. The Federal Emergency Management Agency "Bequests and Gifts" account shall be available to the Department of Homeland Security, as authorized by sections 503 and 1517 of the Homeland Security Act of 2002 (6 U.S.C. 313, 557), for the Secretary of Homeland Security to accept, hold, administer and utilize gifts and bequests, including property, to facilitate the work of the Department of Homeland Security: Provided, That such fund shall hereafter be known as "Department of Homeland Security, Gifts and Donations": Provided further, That any gift or bequest shall be used in accordance with the terms of that gift or bequest to the greatest extent practicable.

SEC. 508. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2004 until the enactment of an Act authorizing intelligence activities for fiscal year 2004.

SEC. 509. The Federal Law Enforcement Training Center shall establish an accrediting body, to include representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 510. None of the funds in this Act may be used to make a grant unless the Secretary of Homeland Security notifies the Committees on Appropriations of the Senate and the House of Representatives not less than 3 full business days before any grant allocation, discretionary grant award, or letter of intent totaling \$1,000,000 or more is announced by the Department or its directorates from: (1) any discretionary or formula-based grant program of the Office for Domestic Preparedness; (2) any letter of intent from the Transportation Security Administration; or (3) any port security grant: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 511. Notwithstanding any other provision of law, no agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 512. The Director of the Federal Law Enforcement Training Center shall ensure that all training facilities under the control of the Center are operated at optimal capacity throughout the fiscal year.

SEC. 513. For fiscal year 2004 and thereafter, none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used for the production of customs declarations that do not inquire whether the passenger had been in the proximity of livestock.

SEC. 514. For fiscal year 2004 and thereafter, none of the funds appropriated or otherwise made available to the Department of Homeland Security shall be available for any activity or

for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a determination, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 515. For fiscal year 2004 and thereafter, none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which there is in effect a detention order under such section 307 on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

SEC. 516. None of the funds appropriated or otherwise made available by this Act may be used for expenses of any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 517. None of the funds appropriated or otherwise made available by this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Transportation Security Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsored buildings for services relating to aviation security: Provided, That the prohibition of funds in this section does not apply to—

(1) negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items, or

(2) space for necessary security checkpoints.

SEC. 518. None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 519. (a) None of the funds provided by this or previous appropriations Acts may be obligated for deployment or implementation, on other than a test basis, of the Computer Assisted Passenger Prescreening System (CAPPS II) that the Transportation Security Administration (TSA) plans to utilize to screen aviation passengers, until the General Accounting Office has reported to the Committees on Appropriations of the Senate and the House of Representatives that—

(1) a system of due process exists whereby aviation passengers determined to pose a threat and either delayed or prohibited from boarding their scheduled flights by the TSA may appeal such decision and correct erroneous information contained in CAPPS II;

(2) the underlying error rate of the government and private data bases that will be used both to establish identity and assign a risk level to a passenger will not produce a large number of false positives that will result in a significant number of passengers being treated mistakenly or security resources being diverted;

(3) the TSA has stress-tested and demonstrated the efficacy and accuracy of all search tools in CAPPS II and has demonstrated that CAPPS II can make an accurate predictive assessment of those passengers who may constitute a threat to aviation;

(4) the Secretary of Homeland Security has established an internal oversight board to monitor the manner in which CAPPS II is being developed and prepared;

(5) the TSA has built in sufficient operational safeguards to reduce the opportunities for abuse;

(6) substantial security measures are in place to protect CAPPS II from unauthorized access by hackers or other intruders;

(7) the TSA has adopted policies establishing effective oversight of the use and operation of the system; and

(8) there are no specific privacy concerns with the technological architecture of the system.

(b) During the testing phase permitted by paragraph (a) of this section, no information gathered from passengers, foreign or domestic air carriers, or reservation systems may be used to screen aviation passengers, or delay or deny boarding to such passengers.

(c) The General Accounting Office shall submit the report required under paragraph (a) of this section no later than February 15, 2004.

SEC. 520. For fiscal year 2004 and thereafter, the Secretary of Homeland Security shall charge reasonable fees for providing credentialing and background investigations in the field of transportation: Provided, That the establishment and collection of fees shall be subject to the following requirements:

(1) such fees, in the aggregate, shall not exceed the costs incurred by the Department of Homeland Security associated with providing the credential or performing the background record checks;

(2) the Secretary shall charge fees in amounts that are reasonably related to the costs of providing services in connection with the activity or item for which the fee is charged;

(3) a fee may not be collected except to the extent such fee will be expended to pay for the costs of conducting or obtaining a criminal history record check and a review of available law enforcement databases and commercial databases and records of other governmental and international agencies; reviewing and adjudicating requests for waiver and appeals of agency decisions with respect to providing the credential, performing the background record check, and denying requests for waiver and appeals; and any other costs related to providing the credential or performing the background record check; and

(4) any fee collected shall be available for expenditure only to pay the costs incurred in providing services in connection with the activity or item for which the fee is charged and shall remain available until expended.

SEC. 521. The Secretary of Homeland Security is directed to research, develop, and procure certified systems to inspect and screen air cargo on passenger aircraft at the earliest date possible: Provided, That until such technology is procured and installed, the Secretary shall take all possible actions to enhance the known shipper program to prohibit high-risk cargo from being transported on passenger aircraft.

This Act may be cited as the "Department of Homeland Security Appropriations Act, 2004".

And the Senate agree to the same.

HAROLD ROGERS,
C. W. BILL YOUNG,
FRANK R. WOLF,
ZACH WAMP,
TOM LATHAM,
JO ANN EMERSON,
KAY GRANGER,
JOHN E. SWEENEY,
DON SHERWOOD,
MARTIN OLAV SABO,
DAVID E. PRICE,
JOSÉ E. SERRANO,
LUCILLE ROYBAL-ALLARD,
MARION BERRY,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

THAD COCHRAN,
TED STEVENS,
ARLEN SPECTER,
PETE V. DOMENICI,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
BEN NIGHTHORSE
CAMPBELL,
LARRY CRAIG,

ROBERT C. BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
PATRICK J. LEAHY,
TOM HARKIN,
BARBARA A. MIKULSKI,
HERB KOHL,
PATTY MURRAY,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2555), making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Homeland Security and the Senate Subcommittee on Homeland Security.

The language and allocations contained in House Report 108-169 and Senate Report 108-86 should be complied with unless specifically addressed to the contrary in the conference report and statement of managers. The statement of managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House and Senate reports address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate report are not inconsistent and are to be interpreted accordingly.

In cases where the House or Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations. Further, in a number of instances, House Report 108-169 and Senate Report 108-86 direct agencies to report to the Committees by specific dates that have now passed. In those instances, and unless alternative dates are provided in the accompanying explanatory statement, agencies are directed to provide these reports to the House and Senate Committees on Appropriations no later than November 14, 2003.

TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

The conferees agree to provide \$80,794,000 instead of \$78,975,000 as proposed by the House and \$83,653,000 as proposed by the Senate. Within the funds provided for the Office of the Secretary and Executive Management, travel expenses may not exceed \$2,575,000. The conferees agree to provide an additional \$490,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Funding shall be allocated as follows:

Immediate Office of the Secretary	\$2,139,000
Immediate Office of the Deputy Secretary	1,116,000
Office of Security	19,899,000
Chief of Staff	5,047,000
Executive Secretary	5,239,000
Special Assistant to the Secretary/Private Sector	3,995,000

Office of National Capital Region (NCR) Coordinator	560,000
Office of State and Local Government Coordination	3,095,000
Office of International Affairs	1,165,000
Office of Public Affairs	8,168,000
Office of Legislative Affairs	5,907,000
Office of General Counsel	8,696,000
Office of Civil Rights and Liberties	13,027,000
Citizenship and Immigration Services Ombudsman	1,243,000
Homeland Security Advisory Committee	726,000
Privacy Officer	772,000
Total	80,794,000

RECEPTION AND REPRESENTATION EXPENSES

The conferees have provided \$40,000 for reception and representation expenses for the Office of the Secretary and Executive Management, as proposed by the House, instead of \$100,000 as proposed by the Senate in a general provision. Separate reception and representation allowances have been provided directly to other departmental agencies.

The conferees have not included bill language, proposed by the House, permitting the Secretary to use up to \$2,000,000 for unforeseen emergencies.

BUDGET JUSTIFICATIONS

The conferees direct the Department to submit its fiscal year 2005 budget justifications on the first Monday in February, concurrent with official submission of the President's budget to the Congress. These justifications should include detailed data and explanatory statements in support of the appropriations requests, including tables that detail each agency's programs, projects, and activities for fiscal years 2004 and 2005. The budget justifications should also include a table identifying the last year that authorizing legislation was provided by Congress for each program, project, or activity; the amount of the authorization; and the appropriation in the last year of the authorization.

MONTHLY REPORTING REQUIREMENTS

The conferees agree with House report language directing the Department to submit to the Committees on Appropriations a monthly budget execution report showing the status of obligations and costs for all components of the Department.

DETAILEES

The conferees direct the Department to report for fiscal year 2003 and for the first quarter of fiscal year 2004 to the Committees on Appropriations by January 1, 2004, by agency on the number of detailees in the Department as well as those detailed to other executive and legislative agencies; originating agency; salary; length of detail (including beginning and end dates); and purpose of the detail.

PROTECTION OF CLASSIFIED INFORMATION

The conferees agree with House report language regarding proper storage and security of classified information and materials, and, within available funds for the Office of Security, up to \$3,000,000 shall be made available for initial purchase and installation of locks meeting or exceeding federal specification FF-L-2740-A. Consistent with House report language, the conferees expect a complete assessment of needs to be delivered to the Committees on Appropriations no later than December 15, 2003.

COUNTERMEASURES AGAINST SHOULDER-FIRED MISSILES

The Secretary shall report to the Committees on Appropriations no later than March 1, 2004, in classified form, on the progress made to develop countermeasures for commercial aircraft against shoulder-fired missile systems, including cost and time schedules for developing and deploying such countermeasures, a vulnerability assessment of category X and category 1 airports from the threat of shoulder-fired missile systems, and the interim measures being taken to address the threat.

ASSET FORFEITURE FUNDS

The conferees note that asset forfeiture funds have played a vital role in support of law enforcement and homeland security operations. The conferees also are aware that new legal and/or administrative structures are under consideration for the operation of the current Treasury and Justice Department forfeiture funds. Because a number of the Department's law enforcement agencies rely on the use of assets from these funds for on-going investigations and other operations, the conferees direct the Department to notify the Committees on Appropriations prior to any changes in the existing structure of these funds or changes to the distribution of the assets from these funds.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The conferees agree to provide \$130,983,000 instead of \$116,139,000 as proposed by the House and \$167,521,000 as proposed by the Senate. Within the funds provided for the Office of the Under Secretary for Management, travel expenses may not exceed \$602,000. Due to lack of details, the conferees have not provided funding for Strategic Initiatives. The conferees agree to provide an additional \$333,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Funding shall be allocated as follows:

Under Secretary for Management	\$1,278,000
Office of Chief Financial Officer	10,592,000
Office of Procurement	6,171,000
Office of Human Resources	6,743,000
Office of Chief Information Officer	60,496,000
Office of Administration	25,703,000
Headquarters	20,000,000
Total	130,983,000

STANDARDIZATION OF SYSTEMS

The conferees expect that standardization and savings will be realized through consolidation of support operations, personnel, and systems within the Department of Homeland Security. The conferees direct the Department to undertake these consolidation efforts in such areas as administration, finance and accounting, and procurement.

COMMAND CENTER

The conferees have fully funded the command center under the Information Analysis and Infrastructure Protection management and administration account. No funding is included for this center under the Chief Information Officer, as proposed by both the House and Senate.

DHS HEADQUARTERS

The conferees agree to provide \$20,000,000 for necessary renovations at the Nebraska Avenue Complex instead of \$30,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees include a new general provision (Section 516) prohibiting the expenditure of funds absent an approved prospectus, if required by the Public Buildings Act of 1959. Funding is provided for evaluations and planning; security upgrades;

renovations and improvements of buildings 1, 4, 5, 18, 19, and 100; SCIF construction in building 5; and Navy relocation costs.

DEPARTMENT-WIDE TECHNOLOGY INVESTMENTS

The conferees agree to provide \$185,000,000 as proposed by the Senate instead of \$206,000,000 as proposed by the House. Funds are available until expended. Statutory language proposed by the House has been included prohibiting the use of funds to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology project or the Automated Commercial Environment system.

The conference agreement includes \$72,506,000 for information technology services; \$31,000,000 for security activities; \$100,000,000 for wireless programs; and \$2,494,000 for federal salaries and expenses. The conference agreement also includes the Senate proposal to use \$21,000,000 transferred to the Department of Homeland Security from the Department of Justice Working Capital Fund for enterprise architecture and the information and evaluation program. Full funding has been provided for consolidation of the Department's watch lists.

The Department is to report to the Committees on Appropriations by December 15, 2003, on how the federal wireless program will operate with the state and local communications systems that are being implemented concurrently, and to identify the level of funding provided to all Departmental components for mobile radios.

The Department is to report to the Committees on Appropriations by December 15, 2003, on the status of the Department's efforts to: complete an inventory of the Department's entire information technology structure; devise and deploy a comprehensive enterprise architecture that promotes interoperability of homeland security information systems, including communications systems, for agencies within and outside the Department; consolidate multiple overlapping and inconsistent terrorist watch lists; and align common information technology investments within the Department and between the Department and other federal, state, and local agencies responsible for homeland security to minimize inconsistent and duplicative acquisitions and expenditures.

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide \$58,664,000 instead of \$58,118,000 as proposed by both the House and the Senate; and \$22,000,000 is transferred from the Emergency Preparedness and Response Disaster Relief Fund for a total of \$80,664,000 for the Office of Inspector General. The conferees agree to provide an additional \$546,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment.

Bill language is included to allow the Inspector General to use not to exceed \$100,000 for unforeseen emergencies, including the payment of informants, as proposed by the Senate instead of \$1,000,000 as proposed by the House.

The conferees direct the Inspector General to provide all audit reports requested by the Committees on Appropriations to the Committees no less than 15 days prior to public distribution of such reports.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY

SALARIES AND EXPENSES

The conferees agree to provide \$8,106,000 as proposed by the House instead of \$8,842,000 as proposed by the Senate. Within the Office of the Under Secretary for Border and Trans-

portation Security, travel may not exceed \$418,000.

ADMINISTRATIVE SUPPORT AND INTERAGENCY COOPERATION

The conferees recognize that there will continue to be significant requirements for support between agencies within the Directorate of Border and Transportation Security, as well as other Departmental agencies, notably the Bureau of Citizenship and Immigration Services, as transition continues. This may include shared services, modernizing and supporting shared automated systems, shared infrastructure, access to databases, and other forms of support. The conferees direct that the Under Secretary and all bureaus collaborate to ensure that the needs of frontline employees are being met, regardless of which bureau is providing legacy system support or administrative infrastructure.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY (US VISIT)

The conferees agree to provide \$330,000,000 instead of \$350,000,000 as proposed by the House and \$380,000,000 as proposed by the Senate. Funds are available until expended.

US VISIT PLANNING, EXPENDITURE AND OVERSIGHT INFORMATION

The conferees are concerned about the progress in planning and deploying the US VISIT system. Given the priority of US VISIT, the conferees expect that some expenditure plans would be completed and submitted to the Committees on Appropriations shortly after appropriations become available, and not held up until late in the fiscal year as has been true in the past.

The conferees expect to be provided additional information about overall program characteristics, as well as greater details in specific expenditure plans. Overall, information needs to be provided showing the context in which US VISIT is being developed, to include, but not be limited to: an estimate of overall costs; a comprehensive explanation of the exit control business process on which planning is based; staffing plans being developed for entrance and exit control activity; and explanations of how US VISIT information will be made available to the Bureau of Immigration and Customs Enforcement and other law enforcement and homeland security agencies. In addition, expenditure plans shall provide a greater level of detail, including: annual cost, schedule, and performance milestones; outyear costs; and related impacts on staffing, infrastructure, and communications costs.

The conferees further direct DHS to submit its privacy policy to protect information held by US VISIT to the Committees on Appropriations not later than 45 days after enactment of the Act.

To assist the Committees in their oversight of US VISIT, the conferees direct DHS to submit detailed monthly reports on the planned and actual deployment of US VISIT entry and exit systems and equipment at airports and seaports. The first report shall be submitted not later than October 15, 2003, and shall include information on deployment through September 2003, as well as for the remainder of fiscal year 2004.

US VISIT BIOMETRICS

The conferees believe that the success of US VISIT depends on the effective integration of biometrics into its systems and operations. The biometric infrastructure being built must be a viable long-term solution fully interoperable with the FBI Integrated Automated Fingerprint Identification System that meets biometric standards of the National Institute of Standards and Technology. As stated in Public Law 108-7, procurement decisions for the overall US VISIT

program should ensure full and open competition.

An example of a technology with great capacity for storing biometric information is optical memory, now used by the Department for permanent resident cards and by the State Department for border crossing cards. The conferees encourage the Department to ensure that all technologies are considered as it proceeds with US VISIT development and as the State Department moves forward with the next generation of travel documents and credentials. The conferees further encourage the Department to ensure that it coordinates with other federal agencies engaged in such technology development and that such technologies are developed to comply with current and planned international civil aviation standards.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

The conferees agree to provide \$4,396,350,000 for the Bureau of Customs and Border Protection (CBP) instead of \$4,587,600,000 as proposed by the House and \$4,369,000,000 as proposed by the Senate. This includes: \$18,000,000 to cover the costs of 2003 pay increases and partially restore unspecified administrative reductions taken to establish the Department; \$4,750,000 for textile transshipment enforcement, as authorized in the Trade Act of 2002; \$12,725,000 to enforce laws relating to forced or indentured child labor, of which \$4,000,000 is available until expended; \$63,800,000 for non-intrusive inspection technology; \$6,700,000 for additional staffing needed to support new inspection technology and implement wireless personal data assistant database access; \$41,000,000 for an additional 570 Border Patrol Agents; \$9,000,000 for additional inspectors; a reduction to correct for \$18,000,000 that had been double-counted in the budget request; and an additional \$23,200,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. The appropriation also reflects reductions that correspond to realignment of construction funding into separate appropriations, and \$128,000,000 for administrative support for investigations and air and marine operations into the Bureau of Immigration and Customs Enforcement appropriation. Funding requested for Plum Island is provided in the Science and Technology biological countermeasures program. Further details on the allocation of funds can be found in the conference funding tables included in this report.

The conferees are aware that the Department is conducting a comprehensive review of administrative and other mission responsibilities, particularly as they affect CBP and other agencies that have inherited multiple legacy missions. While funding provided by this conference agreement is based on the best possible information available, the conferees understand there may be a need to adjust funding to conform to the decisions resulting from the review.

BORDER STAFFING

The conferees support adequate staffing to secure the nation's ports and borders, and have included a total of \$76,300,000 for increased deployment of inspection technology, the Customs-Trade Partnership Against Terrorism, canine enforcement officers, CBP inspectors and Border Patrol Agents.

The conferees recognize the effort required to integrate these increases while continuing to adjust the structure and organization of a new, consolidated bureau. In order to assess the status of current and projected staffing, the conferees direct CBP to submit to the Committees on Appropriations not later than December 1, 2003, a detailed staffing

plan including: actual on-board personnel for fiscal year 2003; projected staffing for fiscal year 2004; positions authorized but vacant; full-time, part-time, and temporary positions funded through direct appropriations; full-time, part-time and temporary fee-funded positions; and staffing at each port of entry and border area. The report shall also identify the new positions funded by this Act. The conferees expect this staffing plan to be coordinated and consistent with the staffing assumptions included in the CBP construction master plan.

NON-INTRUSIVE INSPECTION AND RADIATION DETECTION TECHNOLOGY

The conferees are aware of several instances where improvements can be made in evaluating new technology for cargo screening and radiation detection. For example, completion of the demonstration project for pulsed fast neutron analysis at the Ysleta border crossing has been significantly delayed. The conferees direct CBP to accelerate its efforts to complete this test and report its findings to the Committees on Appropriations not later than August 1, 2004. In another example, the conferees note that \$3,000,000 was provided to CBP in the fiscal year 2003 appropriation to evaluate and prototype next generation technology to screen and detect contraband, explosives, radioactive materials, and potential chemical and biological weapons. However, it appears that a significant share of this funding is instead being used to test modifications to existing detection technology.

The conferees strongly support Departmental coordination of efforts by CBP and other DHS agencies to test and invest in technology for inspection, detection and monitoring for weapons of mass destruction, and integrate such technology in all operations. The conferees direct both CBP and DHS to ensure that all potential candidate technologies are permitted to compete and be fairly evaluated as part of any acquisition decisions for inspection and radiation detection technology.

ANTI-DUMPING ENFORCEMENT

The conferees have ensured that this account includes sufficient funds to enforce the anti-dumping authority contained in section 764 of the Tariff Act of 1930 (19 U.S.C. 1675c). Additionally, the conferees are aware of the Department of the Treasury Office of Inspector General audit report (OIG003-085), "Customs Needs to Improve Compliance with CDSOA (Continued Dumping and Subsidy Offset Act of 2000)" and expect the CBP to fully comply with the recommendations made in that report.

STEEL IMPORTS TRADE LAW ENFORCEMENT

The conferees fully support the language on enforcement of U.S. trade laws regarding steel imports contained in House Report 108-169. The conferees note that the report submitted May 30, 2003, on this issue did not contain the requested data on the types and value of illegal imports seized and penalties imposed. The conferees direct the CBP to submit a revised report by April 20, 2004, that includes all of the information requested.

OFFSETTING FEE COLLECTIONS

The conferees are concerned about the financial health of the Immigration Inspection User Fee, COBRA passenger inspection fees, and the Land Border Inspection Fee, all of which have been affected by declining travel volume. The conferees direct the Department and CBP to manage programs within the levels of actual receipts, and to adjust Land Border Inspection fees quickly to ensure adequate revenue. The conferees direct CBP to ensure that fee revenues are used first to fully fund base operations and adjustments, as supported in justification

materials provided to Congress, before undertaking any new initiatives.

AUTOMATION MODERNIZATION

The conferees agree to provide \$441,122,000, as proposed by the Senate, instead of \$493,727,000 as proposed by the House. Funds are available until expended. This includes funding as requested for the Automated Commercial Environment, the Integrated Trade Data System, and the costs of the legacy Automated Commercial System.

CONSTRUCTION

The conferees agree to provide \$90,363,000 as proposed by the Senate, instead of \$95,552,000 funded within the CBP Salaries and Expenses appropriation as proposed by the House. Funds are available until expended. The conferees direct CBP to review its nationwide priority list for construction funding for the Border Patrol, and provide a detailed plan of its intended use of this funding within 45 days of enactment of this Act. In addition, the conferees direct CBP to submit an updated construction master plan to the Committees on Appropriations not later than July 1, 2004.

CONFERENCE FUNDING LEVELS

	<i>Amount</i>
Customs and Border Protection:	
Salaries and Expenses	\$4,396,350,000
Automation Modernization	441,122,000
Construction (Border Patrol)	90,363,000
Subtotal, Direct Appropriations	4,927,835,000
Offsetting Fee Collections:	
Immigration user fee ...	(509,000,000)
Immigration examinations fund	(0)
Immigration enforcement fines	(6,000,000)
Land border inspection fund	(28,000,000)
COBRA	(302,000,000)
Subtotal, Offsetting Fee Collections	(845,000,000)
Total, Customs and Border Protection	(5,772,835,000)

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide \$2,151,050,000 for the Bureau of Immigration and Customs Enforcement (ICE) instead of \$2,030,000,000 as proposed by the House and \$2,180,000,000 as proposed by the Senate. This includes: \$7,500,000 to cover the costs of annualizing 2003 pay increases and to partially restore unspecified administrative reductions taken to establish the Department; \$4,750,000 for textile transshipment enforcement, as authorized in the Trade Act of 2002; \$3,000,000 to enforce laws relating to forced or indentured child labor, of which \$1,000,000 is available until expended; \$6,700,000 in new funding for additional investigators, particularly for compliance monitoring; \$5,400,000 for personnel costs associated with establishing a Northern Border airwing; and \$6,400,000 for the Intellectual Property Rights Center.

The funding level reflects realignment of funding for construction into a separate construction appropriation, and realignment of \$128,000,000 for administrative support for investigations and air and marine operations into ICE. The conferees agree to provide an additional \$15,000,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay

adjustment. The conferees continue to support alternatives to detention and to providing legal orientation to persons in detention prior to their first hearing before an immigration judge, and expect that these programs will be funded at the same level as the previous fiscal year. Further details on funding allocations can be found in the conference funding tables included in this report.

The conferees are aware that the Department is conducting a comprehensive review of administrative and other mission responsibilities, particularly as they affect ICE and other agencies that have inherited multiple legacy missions. While funding provided by this conference agreement is based on the best possible information available, the conferees understand there may be a need to adjust funding to conform to the decisions resulting from the review.

STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM

The conferees direct the General Accounting Office to report on the implementation of the Student and Exchange Visitor Information System (SEVIS). The report should include an assessment of the technical problems faced by institutions of higher education using the system, the need for the detailed information collected, and an analysis of corrective action being taken by DHS to resolve problems in SEVIS. This report should be provided to the Committees on Appropriations not later than 180 days after enactment of the Act.

INTELLECTUAL PROPERTY RIGHTS

The conferees direct the Under Secretary for Border and Transportation Security to report, not later than January 15, 2004, on the number of Immigration and Customs Enforcement open cases, closed cases, arrests, convictions, and prosecutions that result in dismissals or civil actions related to intellectual property rights enforcement for each of fiscal years 2001 through 2003. The conferees strongly encourage the Department to establish a government/industry anti-counterfeit working group in order to facilitate investigations, interdictions and prosecutions.

OFFSETTING FEE COLLECTIONS

The conferees are concerned about the accuracy of estimates for fees supporting ICE operations. There have been significant downward adjustments in the estimates of funding available from breached bond/detention and removal collections that have forced the detention building program to be delayed as long as two years, and similarly, overestimates have been made for the Immigration Inspection User Fee Account. The conferees direct ICE to ensure that fee revenues are used first to fully fund base operations and adjustments, as supported in justification materials provided to Congress, before undertaking any new initiatives. The conferees also direct DHS and ICE to inform the Committees on Appropriations in a timely manner of potential short-term operational or programmatic impacts from reduced fee collections.

RESCISSION OF FUNDS

The conferees have rescinded \$54,000,000 from funds made available in chapter 6 of title I of Public Law 108-11. These funds were originally appropriated for expenses related to Operation Liberty Shield, but are no longer required for such purposes.

FEDERAL AIR MARSHALS

The conferees agree to provide \$626,400,000 for the Federal Air Marshals program within the Bureau of Immigration and Customs Enforcement rather than the Transportation Security Administration (TSA), pursuant to

the Administration's reorganization notification submitted to the Congress on September 2, 2003. The House bill proposed \$634,100,000 for the Federal Air Marshals program as a separate account within TSA's budget. The Senate bill provided \$610,000,000 as a separate line item within TSA's aviation security appropriation. Within the funds provided, the conferees agree to provide an additional \$2,300,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Funding shall be allocated as follows:

Federal Air Marshals	\$602,300,000
Explosive unit	4,100,000
Scheduling and information technology	10,000,000
Air-to-ground communications	10,000,000
Total, Federal air marshals	626,400,000

FEDERAL PROTECTIVE SERVICE
(TRANSFER OF FUNDS)

The conferees agree to provide \$424,211,000, as proposed by the House and as included by the Senate in the Salaries and Expenses appropriation for ICE.

AUTOMATION MODERNIZATION

The conferees agree to provide \$40,000,000, instead of \$367,605,000 as proposed by the House. Funds are available until expended. The Senate included funding for this purpose within the ICE appropriation. This new account will fund major information technology investment projects for ICE, including Atlas/Chimera data modernization and connectivity. The conferees include a new provision prohibiting the obligation of funds until the Committees receive and approve an expenditure plan.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

The conferees agree to provide \$210,200,000, instead of \$175,000,000 as proposed by the House and \$257,291,000 as proposed by the Senate. Funds are available until expended. This includes \$35,200,000 to establish a Northern Border airwing, of which \$12,800,000 is available for aircraft procurement.

AIR AND MARINE INTERDICTION (AMI) PROGRAM MODERNIZATION PLAN

The roles and missions of AMI are being redefined as it becomes integrated as a core component of the Department, and as a result of expanded airspace security missions following the September 11, 2001, attacks and during the recent Liberty Shield operation. The heightened need to coordinate air and marine operations, as well as to continue aggressive counterdrug efforts, make it essential that AMI modernize. As part of a comprehensive review of AMI missions, structures, operations and resources, a number of security shortfalls were identified by the Department. These include the need to establish Northern Border operations and to provide airspace security for the National Capital Region. Other priorities include replacing AMI's aging air and marine assets, and continuing counterdrug interdiction in the source and transit zones. The conferees were informed that, based on the review, a modernization plan including a five-year recapitalization plan will soon be completed.

The conferees are committed to seeing AMI succeed, and need to know more about the ultimate plan for AMI development, modernization and deployment, including its relationship to the Border Patrol and to the U.S. Coast Guard. The conferees therefore direct the Under Secretary for Border and Transportation Security to report to the Committees on Appropriations no later than November 14, 2003, on the five-year plan for

AMI missions, structure, operations, and resources, including deployment and command and control requirements, such as the need to increase the number of servers at the Air and Marine Operations Center to eliminate significant surveillance gaps affecting the Northern Border and the western United States. In addition, the report should address: (1) the status of any air traffic control communications with recommendations on how to fill any voids; (2) the current and future role played by tethered aerostat radars (TARs) in airspace interdiction and homeland security, describing any gaps in TARs coverage, such as those that may exist in the central Gulf of Mexico; (3) the basing of air assets, in particular the P-3 aircraft, many of which now occupy temporary or inadequate hangar space such as that at Jacksonville, Florida; and (4) detailed plans for using the \$35,800,000 included in the Act for continued support of the Western Hemisphere Drug Elimination Act.

AMI STAFFING AND PERSONNEL

The conferees direct the Under Secretary to report, no later than November 14, 2003, on AMI staffing needs and personnel policies affecting the use and assignment of personnel, including staffing grades, maintenance and operational issues. The report, covering the next five years, should display the numbers and types of authorized positions needed to fulfill the mission of AMI; personnel and benefits costs; current on-board staffing levels; and projections for filling vacant positions.

CONSTRUCTION

The conferees agree to provide \$26,775,000 as proposed by the Senate and as included by the House in the Salaries and Expenses appropriation for ICE. Funds are available until expended. The conferees direct ICE to review its nationwide priority list for construction project funding and submit a detailed plan for use of this funding within 45 days of enactment of this Act. The conferees further direct ICE to submit an updated construction master plan to the Committees on Appropriations not later than July 1, 2004.

CONFERENCE FUNDING LEVELS

	<i>Amount</i>
Immigration and Customs Enforcement:	
Salaries and Expenses	\$2,151,050,000
Federal Air Marshals	626,400,000
Federal Protective Service	424,211,000
Automation and Modernization	40,000,000
Air and Marine Interdiction	210,200,000
Construction	26,775,000
Subtotal, Direct Appropriations	3,478,636,000
Offsetting Fee Collections:	
Immigration user fee ...	(107,000,000)
Immigration examinations fund	(25,000,000)
Breached bond/Detention fund	(116,000,000)
SEVIS fund	(25,000,000)
COBRA	(0)
Subtotal, Offsetting Fee Collections	(273,000,000)
Total, Immigration and Customs Enforcement	(3,751,636,000)

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

The conferees agree to provide \$3,732,700,000 instead of \$3,659,200,000 as proposed by the

House and \$4,523,900,000 as proposed by the Senate. Within this amount, not to exceed \$3,000 is available for official reception and representation expenses as proposed by the House. The conference agreement includes the use of \$95,000,000 of prior year balances carried over from fiscal year 2003. Bill language is also included that reflects the collection of \$2,070,000,000 from aviation user fees, as authorized. The following table specifies funding levels by budget activity:

Aviation Security

Passenger screening:	
Screening pilots	\$119,000,000
Passenger screeners—PC&B	1,319,600,000
Passenger screeners—training and other	114,100,000
HR services	151,000,000
Checkpoint support	62,000,000
CAPPS II	35,000,000
Registered traveler	5,000,000
Subtotal, passenger screening	1,805,700,000
Baggage screening:	
Baggage screeners—PC&B	774,200,000
Baggage screeners—training and other	69,500,000
EDS Purchase	150,000,000
EDS Installation	250,000,000
EDS/ETD maintenance	75,000,000
Subtotal, baggage screening	1,318,700,000
Security direction and enforcement:	
Aviation regulation and other enforcement	275,400,000
Airport management and staff	233,800,000
Airport information technology and other support	139,100,000
Federal flight deck officer program	25,000,000
Air cargo	30,000,000
Subtotal, security direction and enforcement	703,300,000
Subtotal, aviation security	3,827,700,000
Use of prior year balances	-95,000,000
Total, Aviation Security	3,732,700,000

SCREENER CAP

The conferees include bill language that caps full-time equivalent screener staff to 45,000, as proposed by the House. The conferees expect the Transportation Security Administration (TSA) to have no more than 45,000 full-time equivalent screeners on its rolls at the end of fiscal year 2004. In order to meet this requirement, the conferees urge TSA to hire more part-time and seasonal screeners. However, the conferees recognize that there are still staffing imbalances in many airports around the country and that TSA continues to lose screeners through attrition. Consequently, TSA may need to reduce staffing in some locations to comply with this provision while recruiting and hiring additional or replacement screeners at other airports. The prohibition on the number of full-time equivalents is not intended to prohibit TSA from hiring screeners during fiscal year 2004 at those airports where additional or replacement screeners are required

to maintain aviation security and customer service.

WAIT TIMES

The conferees do not agree with language contained in the Senate report that requires TSA to ensure a 10-minute passenger screening standard is consistently met.

AIR CARGO

The conferees provide a total of \$30,000,000 within aviation security to strengthen the agency's oversight of air cargo security. Additional funding of \$55,000,000 is provided within the Research and Development account.

Currently, to secure 100-percent of cargo transported aboard passenger aircraft, TSA prohibits any cargo from "unknown or high-risk" shippers from being placed aboard these aircraft. TSA ensures that any shipper wishing to transport cargo on passenger aircraft achieve "known" status through participating in the agency's "known shipper program". Passenger carriers, all-cargo carriers, and freight forwarders that interline cargo to passenger carriers are responsible for validating the known shippers. Shippers that cannot be validated are not allowed to transport cargo via passenger carriers.

Within this funding, the conferees direct TSA to improve its oversight of the known shipper program, using a risk-weighted freight screening system that will identify pieces of cargo that require closer scrutiny before being loaded on passenger aircraft. An additional 100 TSA staff are provided to perform more in-depth audits of shipper compliance with the known shipper requirement. An improved automated system should include the automated known shipper verification system, the automated indirect air carrier certification and recertification program, and automated cargo profiling systems. In addition, funding has also been provided for TSA to conduct background checks on those employees who handle cargo, have access to secure areas or ramps in which cargo is loaded onto passenger airplanes, or have direct access to air cargo being shipped. Finally, TSA should consider testing the expansion of the Customs-Trade Partnership Against Terrorism (C-TPAT) to the domestic air cargo supply chain.

FEDERAL AIR MARSHALS

The conferees agree to provide \$626,400,000 for the Federal Air Marshals program within the Bureau of Immigration and Customs Enforcement (ICE) rather than TSA, pursuant to the Administration's reorganization notification submitted to the Congress on September 2, 2003.

MARITIME AND LAND SECURITY

The conferees agree to provide \$263,000,000 instead of \$231,700,000 as proposed by the House and \$295,000,000 as proposed by the Senate. Funding is available until September 30, 2005, as proposed by the Senate instead of until expended as proposed by the House. The following table specifies funding levels by budget activity:

Maritime and Land Security:	
Port security grants	\$125,000,000
Credentialing/transportation worker identification card	50,000,000
Intercity bus security	10,000,000
Operation Safe Commerce	17,000,000
Trucking industry security program (Highway Watch)	22,000,000
Hazardous materials security and truck tracking program	7,000,000
Nuclear detection and monitoring	4,000,000

Staffing and operations ..	28,000,000
Total, Maritime and Land Security	263,000,000
TRANSPORTATION WORKER IDENTIFICATION CARD	

The conferees agree to provide \$50,000,000 for the transportation worker identification card (TWIC) instead of \$55,000,000 as proposed by the House and \$35,000,000 as proposed by the Senate. The conferees are concerned with the status of implementing TWIC and the lack of progress in the test and evaluation phase as well as the development of guidelines, technology, applications, and enrollment for personalization and issuance of a universal card that are to be developed by fiscal year 2004.

The conferees encourage TSA to evaluate all technologies for these cards, including those currently in use in other federal agencies, to ensure that the most secure and cost efficient identification card is developed. Further, the conferees agree with language contained in the House report that TSA develop a personalization system that is centralized and uses an existing government card production facility for these activities. While providing funds for this program, the conferees direct TSA not to obligate funds for the next phase until a spend plan has been developed, the Committees on Appropriations are briefed on the results of the technical evaluation and prototype phases, and agree that the program should move forward.

INTELLIGENCE

The conferees agree to provide \$13,600,000, as proposed by the Senate instead of \$13,700,000 as proposed by the House. Funding is available until September 30, 2004, as proposed by the Senate instead of available until expended as proposed by the House.

RESEARCH AND DEVELOPMENT

The conferees agree to provide \$155,200,000 instead of \$125,700,000 as proposed by the House and \$130,200,000 as proposed by the Senate. The following table specifies funding levels by budget activity:

Research and Development:	
Research and development (Tech Center)	\$55,200,000
Next generation EDS/ETD	45,000,000
Air cargo	55,000,000
Total, Research and Development	155,200,000

AIR CARGO

The conferees agree to provide \$55,000,000 for air cargo security research and development activities. This funding should be used by TSA to pursue a variety of technological solutions that would allow for the most efficient and targeted inspections of cargo being carried on passenger aircraft. TSA is directed to issue a request for proposals at the earliest date possible for these technologies and report back to the Committees on Appropriations by April 1, 2004, on the options to inspect air cargo, the associated costs, and timetable. Furthermore, TSA should immediately launch a pilot program to use explosive detection machines in select locations to screen high-risk cargo. Consideration should be made for those air carriers or routes that carry a high percentage of cargo on passenger aircraft. TSA should also consider expanding the canine screening teams for additional cargo screening applications. Funding should also be made available to test additional air cargo screening tools, based on recommendations from the industry, or to initiate a public-private partner-

ship to design, develop and test air cargo facility security applications at high-cargo airports in the United States.

ADMINISTRATION

The conferees agree to provide \$427,200,000 instead of \$487,100,000 as proposed by the House and \$433,200,000 as proposed by the Senate. Funding is available until September 30, 2005, as proposed by the House. The following table specifies funding levels by budget activity:

Administration:	
Headquarters support	\$173,700,000
Mission support centers	40,000,000
Information technology applications	198,100,000
Corporate training	15,400,000
Total, Administration	427,200,000

BACKGROUND INVESTIGATIONS

Within the funding provided under Administration the conferees agree to provide \$6,000,000 to conduct background investigations on TSA employees, including security screeners, instead of \$12,000,000 as proposed by the Senate. The House included no similar provision. In addition, a general provision has been included that provides TSA broader authority to collect fees for background investigations and credentialing necessary for all modes of transportation.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide a total appropriation of \$4,713,055,000 instead of \$4,719,000,000 as proposed by the Senate and \$4,703,530,000 as proposed by the House. Within this total, \$340,000,000 shall be available for defense-related activities, as proposed by the Senate instead of \$1,300,000,000 as proposed by the House. In addition, the conferees have rescinded \$71,000,000 from funds made available in chapter 6 of title I of Public Law 108-11 as proposed by the Senate. The House bill contained no similar provision.

Funding for operating expenses shall be allocated as follows:

Military Pay and allowances:	
Military pay and allowances	\$1,993,713,000
Military health care	464,890,000
Permanent change of stations	105,184,000
FECA/UCX	4,420,000
Subtotal, military pay and allowances	2,568,207,000
Civilian pay and benefits:	
Civilian pay and benefits	381,246,000
Pay parity for civilians ..	4,247,000
Subtotal, civilian pay and benefits	385,493,000
Training and Recruiting:	
Training and education ..	106,638,000
Recruiting	20,702,000
Area and district training and education	4,000,000
Command training and education	35,100,000
DHS administrative service	-2,200,000
Subtotal, training and recruiting	164,240,000
Operating funds and unit level maintenance:	
Atlantic command	145,714,000
Pacific command	161,540,000
1st District	38,708,000

7th District	54,498,000
8th District	39,150,000
9th District	20,860,000
13th District	16,050,000
14th District	11,522,000
17th District	28,852,000
Headquarters offices	415,913,000
Headquarters managed units	111,310,000
Other activities	2,290,000
Portable radiation search tools	1,500,000
Travel	-4,000,000
DHS administrative services	-11,200,000
Centrally-managed accounts (rent, ammo, postal)	-131,100,000
Command training and education	-35,100,000
Subtotal, operating funds and unit level maintenance	866,507,000
Centrally-managed accounts:	
Centrally-managed operating expenses	131,100,000
DHS administrative services	-1,700,000
Subtotal, centrally-managed accounts	129,400,000
Intermediate and depot level maintenance:	
Aircraft maintenance	218,771,000
Electronic maintenance	89,889,000
Ocean engineering and shore facilities maintenance	152,048,000
Vessel maintenance	146,400,000
DHS administrative services	-7,900,000
Subtotal, immediate and depot level maintenance	599,208,000
Subtotal, operating expenses	4,713,055,000
Rescission	-71,000,000
Total, Operating Expenses	4,642,055,000

For the fiscal year 2005 budget justification and for reprogramming purposes in fiscal year 2004, the Coast Guard shall use the six new budget categories listed above (military pay and allowances, civilian pay and benefits, training and recruiting, operating funds and unit level maintenance, centrally-managed accounts, and intermediate and depot level maintenance). However, the conferees expect sufficient detail on each program, project, or activity in the fiscal year 2005 budget justifications to make informed decisions about the appropriate level of funding in each program line item within these six budget categories.

The conference agreement contains bill language to permit operating expenses to be used to make payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund, as proposed by the Senate. The conference agreement also limits the number of passenger vehicles that the Coast Guard may purchase or lease in fiscal year 2004 to 25, instead of 5 as proposed by the Senate. The House bill contained no similar provisions. Finally, the conference agreement includes bill language to permit the Coast Guard to use not to exceed \$3,000 for official reception and representation activities, as proposed by the House. The Senate bill contained no similar provision.

ICE BREAKING

The conferees direct the Coast Guard to renegotiate the memorandum of agreement relating to ice breaking activities with the National Science Foundation (NSF), as discussed in House Report 108-169. A reduction of \$2,500,000 has been made to the budget request to reflect additional payments from NSF in fiscal year 2004 for ice breaking activities in the Antarctic region.

MARITIME SAFETY AND SECURITY TEAMS

A total of \$71,800,000 has been provided for Maritime Safety and Security Teams (MSSTs) instead of \$64,000,000 as proposed by the House and \$76,000,000 as proposed by the Senate. At this level, the conferees assume that seven MSSTs will be funded in fiscal year 2004 for a minimum of two quarters each, including one MSST in the 17th District.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The conferees agree to provide \$17,000,000 as proposed by the Senate and the House.

RESERVE TRAINING

The conferees agree to provide \$95,000,000 as proposed by the Senate instead of \$94,051,000 as proposed by the House.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The conferees agree to provide \$967,200,000 instead of \$805,000,000 as proposed by the House and \$1,035,000,000 as proposed by the Senate. Consistent with prior practice, bill language is included to distribute the total appropriation by separate obligation availabilities to prevent long-term unobligated balances and ensure fiscal discipline. The following table summarizes the recommended level by program, project, and activity:

Vessels	\$66,500,000
Great Lakes Icebreaker (GLIB) replacement	(2,000,000)
41 foot UTB and NSB replacement project	(12,000,000)
9 additional coastal patrol boats to enforce security zones	(52,500,000)
Integrated Deepwater Systems	668,200,000
Aircraft	(142,700,000)
Surface ships	(302,600,000)
C4ISR	(101,400,000)
Logistics	(45,400,000)
Systems engineering and integration	(42,100,000)
Government program management	(34,000,000)
Other equipment	162,500,000
Defense messaging system (DMS) implementation	(3,500,000)
National distress & response system modernization project (Rescue 21)	(134,000,000)
Oil spill prevention efforts under ports and waterways safety systems	(1,000,000)
Automatic Identification System	(24,000,000)
Personnel and related support	70,000,000
Core acquisition costs	(69,500,000)
Direct personnel cost	(500,000)

Total, Acquisition, Construction, and Improvements **\$967,200,000**

INTEGRATED DEEPWATER SYSTEMS

The conferees agree to provide \$668,200,000 instead of \$702,000,000 as proposed by the Senate and \$530,000,000 as proposed by the House. The following table summarizes the recommended level by program, project, and activity:

ommended level by program, project, and activity:

Aircraft	
Maritime Patrol Aircraft	25,000,000
Unmanned Air Vehicles	50,000,000
Other contracts/legacy sustainment	67,700,000
Surface	
National Security Cutter OPC conceptual and contract design	20,000,000
Fast Response Cutter/110-123 ft. patrol boat conversion	66,000,000
Short Range Prosecutor	1,600,000
Other contracts/legacy sustainment	7,000,000
C4ISR	
Command and Control System for Common Operating Picture	58,000,000
Cutter upgrades—C4ISR	7,100,000
Shore sites	22,100,000
Other contracts/legacy sustainment	14,200,000
Logistics	
Integrated logistics support	19,200,000
Facilities design required for future deployments	5,500,000
Shore Facilities	20,700,000
Systems Engineering and Integration	42,100,000
Government Program Management	34,000,000

Total, Integrated Deepwater Systems **\$668,200,000**

CAPITAL INVESTMENT PLAN

Bill language is included to require the Coast Guard to submit a five-year capital investment plan with initial submission of the President's budget request, as proposed by the House. The Senate bill contained no similar provision.

DISPOSAL OF REAL PROPERTY

Bill language is included to credit to the Acquisition, Construction, and Improvements appropriation any proceeds from the sale or lease of the Coast Guard's surplus real property and to provide that such receipts are available for obligation only for the Rescue 21 project until September 30, 2006, as proposed by the House. The Senate bill contained similar language, but made these funds available until expended.

ALTERATION OF BRIDGES

The conferees agree to provide \$19,250,000 instead of \$19,500,000 as proposed by the House. The Senate funded alteration of bridges under acquisition, construction, and improvements. Within this total, the funds shall be allocated as follows:

Fourteen Mile bridge in Mobile, Alabama	\$5,250,000
Burlington Northern Santa Fe bridge in Burlington, Iowa	2,000,000
Canadian Pacific Railroad bridge in LaCrosse, Wisconsin	1,000,000
Chelsea Street bridge in Chelsea, Massachusetts ..	2,250,000
Florida Avenue bridge in New Orleans, Louisiana ..	6,750,000
EJ&E Railroad bridge in Morris, Illinois	1,000,000
John F. Limehouse bridge in Charleston, South Carolina	1,000,000

In addition the conferees include a proviso in the bill that funds be available only to the extent that steel, iron and manufactured products used in such projects are produced in the United States with certain exceptions,

as proposed by the Senate. The House bill contained no similar provision.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

The conferees agree to provide \$15,000,000 instead of \$22,000,000 as proposed by the House. The Senate provided \$15,000,000 under the Science and Technology Directorate for Coast Guard's research, development, test, and evaluation program.

The conferees are aware that the development of new technologies is necessary if the Coast Guard is to keep pace with its expanding mission. The conferees therefore direct the Commandant to conduct an independent study on research and development priorities, as outlined in the Senate bill under the operating expenses account, and submit the findings of this study to the Committees on Appropriations by June 1, 2004.

RETIRED PAY

The conferees agree to provide \$1,020,000,000 as proposed by both the Senate and the House.

UNITED STATES SECRET SERVICE SALARIES AND EXPENSES

The conferees agree to provide \$1,137,280,000 instead of \$1,148,700,000 as proposed by the House and \$1,114,737,000 as proposed by the Senate. This includes \$16,365,000 for White House mail screening; \$6,824,000 to annualize fiscal year 2003 pay base funding not captured in the fiscal year 2004 budget; \$6,475,000 to fully fund the 2003 pay raise; \$3,336,000 to fully annualize prior year staff increases; and \$5,450,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Funding also includes \$2,100,000 for forensic support to the National Center for Missing and Exploited Children (NCMEC) as well as a \$5,000,000 grant to NCMEC.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide \$3,579,000 as proposed by the House and the Senate. Funds are available until expended. The conferees include bill language under the Salaries and Expenses Account, as proposed by the House, to permit the James J. Rowley Training Center (JJRTC) to provide protective training on a reimbursable basis. The conferees note that the JJRTC is currently operating at full capacity simply to meet training requirements of the Secret Service and is presently unable to accommodate training outside students. The current facilities would need to be expanded to permit increases in training capacity. No additional funding for such expansion has been requested or provided in this Act. The conferees include bill language based on the expectation that it would only be utilized in emergency situations, subject to prior notification to the Committees on Appropriations.

TITLE III—PREPAREDNESS AND RECOVERY

OFFICE FOR DOMESTIC PREPAREDNESS

The conferees view state and local jurisdictions' ability to detect, prevent and respond to a terrorist attack as a high priority. State and local responders are first to arrive on scene when a terrorist attack occurs and must be prepared to protect life and property. This function is inherently non-federal, although federal resources and expertise are needed to manage the crisis, and provide support to state and local assets when an attack overwhelms their resources. For purposes of eligibility for funds under this heading, any county, city, village, town, district, borough, port authority, transit authority, water district, regional planning commission, council of government, Indian tribe, authorized tribal organization, Alaska Native village, or other political subdivision of any state shall constitute a "local unit of government."

STATE AND LOCAL PROGRAMS

The conferees agree to provide \$3,287,000,000 instead of \$2,888,000,000 as proposed by the Senate and \$3,513,000,000 as proposed by the House for the Office for Domestic Preparedness (ODP). Funding is available until September 30, 2004, as proposed by the Senate, instead of until expended as proposed by the House. None of these funds may be used for construction or renovation of facilities.

<i>State and local programs</i>	<i>Amount</i>
Formula-Based Grants	\$1,700,000,000
Law Enforcement Terrorism Prevention Grants	500,000,000
High-Threat, High-Density Urban Areas Grants	725,000,000
Citizen Corps	40,000,000
National Domestic Preparedness Consortium	135,000,000
Technical Assistance	30,000,000
National Exercise Program Competitive Training Grants	60,000,000
Equipment and Testing	17,000,000
Management and Administration	30,000,000
Total	3,287,000,000

FORMULA-BASED GRANTS

The conferees agree to provide \$1,700,000,000, instead of \$1,900,000,000 as proposed by the House and \$1,200,000,000 as proposed by the Senate. These funds are available to all states for purposes of training, procuring equipment (such as interoperable communications equipment), and conducting exercises, based on the state's approved, updated homeland security strategies. The conferees expect that these funds will be made available to states within 30 days after enactment of this Act; that states will have 30 days to apply after the grant is announced; and that ODP will act within 15 days of receipt of an application or receipt of an updated state plan, whichever is later. The conferees also agree that no less than 80 percent of these funds shall be obligated by the state to local units of government within 60 days of the state receiving funds.

The conferees are aware of the need for overtime funding to backfill those first responders attending ODP certified training classes. The conferees understand that ODP anticipates continuing this overtime as an allowable expense of the formula-based grant program. The conferees support this effort with the understanding that only overtime directly related to backfilling first responders attending ODP certified training classes is eligible.

The Secretary may provide a waiver for the use of state grant funds by a local jurisdiction to purchase aviation equipment, where such equipment will be utilized primarily for homeland security objectives and permissible program activities and provided that the local jurisdiction certifies that it has an operating aviation unit and that the costs for operation and maintenance of such equipment will be paid from non-grant funds.

LAW ENFORCEMENT TERRORISM PREVENTION GRANTS

The conferees agree to provide \$500,000,000, as proposed by the Senate, instead of \$510,000,000 as proposed by the House. These funds are made available to all states for purposes as described in Senate Report 108-86. The conferees expect that these funds will be made available to states within 30 days after enactment of this Act; that states will have 30 days to apply after the grant is announced; and that ODP will act within 15 days of receipt of an application or receipt of an updated state plan, whichever is later. The conferees also agree that no less than 80

percent of these funds shall be obligated by the state to local units of government within 60 days of the state receiving funds.

Law enforcement terrorism prevention activities that involve compensation of overtime shall be limited to those specifically related to homeland security, such as providing expanded investigative and intelligence efforts. Funding may not be used to supplant ongoing, routine public safety activities of state and local law enforcement. State applications must certify that all requests for overtime funding comply with this requirement.

HIGH-THREAT, HIGH-DENSITY URBAN AREAS GRANTS

The conferees agree to provide \$725,000,000, instead of \$500,000,000 as proposed by the House and \$750,000,000 as proposed by the Senate. The conferees do not agree to provide \$200,000,000 in a separate account for the protection of critical infrastructure, as proposed by the House. These funds are made available to the Secretary for discretionary grants to high-threat, high-density urban areas. The Secretary shall take into consideration credible threat, presence of critical infrastructure, population, vulnerability, cooperation of multiple jurisdictions in preparing domestic preparedness plans, and the identified needs of public agencies when determining the allocation of these funds. The conferees expect that these funds will be obligated no later than 60 days after enactment of this Act. The conferees also agree that no less than 80 percent of these funds shall be obligated by the state to local units of government within 60 days of the state receiving funds. Grants may be made to single or multiple jurisdictions in the same urban area.

The conferees are concerned with the limited information provided to the Committees on Appropriations regarding the manner in which the Department is distributing these grants. The conferees direct the Department to fully brief the Committees on Appropriations on the methodology for the proposed distribution of the funds appropriated for these grants before the distribution is announced.

CITIZEN CORPS GRANTS

The conferees agree to provide \$40,000,000, instead of \$45,000,000 as proposed by the House and \$50,000,000 as proposed by the Senate.

NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM

The conferees agree to provide \$135,000,000, instead of \$125,000,000 as proposed by the House and \$140,000,000 as proposed by the Senate. Of the funds provided, \$55,000,000 shall be for the Center for Domestic Preparedness.

TECHNICAL ASSISTANCE

The conferees agree to provide \$30,000,000 for direct technical assistance to states, as proposed by the Senate, instead of \$67,000,000 as proposed by the House. The conferees do not provide an additional technical assistance account as proposed by the Senate for \$10,000,000 and by the House for \$32,000,000 under Grant Administration and Planning.

NATIONAL EXERCISE PROGRAM

The conferees agree to provide \$50,000,000, as proposed by both the House and Senate. The conferees fully support the Department's initiative to establish a performance-based national exercise program that centers on the Top Officials (TOPOFF) exercise series.

COMPETITIVE TRAINING GRANTS

The conferees agree to provide \$60,000,000, instead of \$35,000,000 as proposed by the House under Centers for Emergency Preparedness. The Senate proposed \$28,000,000

for the continuation of core training and \$60,000,000 for emerging training in separate accounts. The conferees expect ODP to fully honor all current training commitments.

EQUIPMENT AND TESTING

The conferees agree to provide \$17,000,000, instead of \$40,000,000 as proposed by the Senate. The House provided \$5,000,000 for equipment and \$12,000,000 for testing in separate accounts. The conferees agree that funding of \$15,000,000 for standards development be moved to Science and Technology to consolidate department-wide research and development efforts. The conferees further direct Science and Technology to continue the program established by ODP in coordination with the National Institute of Standards and Technology (NIST), consistent with the fiscal year 2003 budget directive and the 5-year plan for development with NIST.

MANAGEMENT AND ADMINISTRATION

The conferees agree to provide \$30,000,000, as proposed by the Senate. The House provided \$21,000,000 for management and administration and \$11,000,000 for contractor support in separate accounts. Of the funds provided, up to \$11,000,000 shall be available for contractor support.

EMERGENCY MEDICAL SERVICES (EMS)

The conferees agree with the language in both House Report 108-169 and Senate Report 108-86 regarding EMS providers. Further, the conferees direct the Department to submit the EMS grants report directed in Senate Report 108-86 no later than March 1, 2004.

BEST PRACTICES

The conferees request a report from the Department, no later than January 15, 2004, detailing efforts to assess and disseminate best practices to emergency responders. This report shall address, at a minimum, efforts to coordinate and share information with state and local officials and emergency preparedness organizations, and steps the Department proposes to improve the coordination and sharing of such information.

PREPAREDNESS GRANTS CONSOLIDATION

The conferees are disappointed in the inability of the Department to provide a comprehensive plan on the "one-stop shop" proposal. The conferees fully expect to receive this plan as soon as it is available and direct ODP to submit all legislative proposals required to achieve this initiative as part of the fiscal year 2005 budget request.

FIREFIGHTER ASSISTANCE GRANTS

The conferees agree to provide \$750,000,000, as proposed by the Senate. The House proposed \$760,000,000 under the Emergency Preparedness and Response Directorate. Not to exceed 5 percent may be used for administrative expenses. Funds are available until September 30, 2005.

The conferees agree to provide Firefighter Assistance Grants as a separate appropriation within the Office for Domestic Preparedness. The conferees agree that the Department shall continue current administrative practices in a manner identical to the current fiscal year, including a peer review process of applications, granting funds directly to local fire departments, and the inclusion of the United States Fire Administration during grant administration.

The conferees believe that, when establishing priorities for firefighting vehicles within this grant program, the Department should take into consideration the unique geographical needs of individual fire departments.

COUNTERTERRORISM FUND

The conferees agree to provide \$10,000,000, instead of \$20,000,000 as proposed by the House and the Senate. Funds are available

until expended. The Secretary shall notify the Committees on Appropriations 15 days prior to obligation of these funds.

EMERGENCY PREPAREDNESS AND RESPONSE OFFICE OF THE UNDER SECRETARY FOR EMERGENCY PREPAREDNESS AND RESPONSE

The conferees agree to provide \$3,450,000, instead of \$3,615,000 as proposed by the Senate. The House provided \$3,293,000 for the Office of the Under Secretary in Title I, under Departmental Operations.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

The conferees agree to provide \$225,000,000, instead of \$363,339,000 as proposed by the House. The Senate provided \$163,000,000 for Preparedness, Mitigation, Response, and Recovery under Operating Expenses. Funding is available until September 30, 2004, as proposed by the House, instead of until expended as proposed by the Senate. The conferees agree to provide an additional \$2,000,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment.

The conferees do not provide \$25,000,000 for an emergency operations center competitive grant program, as proposed by the House.

URBAN SEARCH AND RESCUE TEAMS

Of the funds provided for Preparedness, Mitigation, Response, and Recovery, the conferees agree to provide \$60,000,000 for Urban Search and Rescue Teams, instead of \$84,587,000 as proposed by the Senate under Operating Expenses. The House bill contained no similar provision. Not to exceed 3 percent may be used for administrative expenses, instead of 5 percent as proposed by the Senate.

WEB-BASED TECHNOLOGY

In concurring with language in House Report 108-169, the conferees direct the Emergency Preparedness and Response Directorate to continue the Disaster Management Initiative, commonly referred to as DisasterHelp.gov. The conferees further direct the Emergency Preparedness and Response Directorate to collect the appropriate sums as necessary from the following contributing agencies: the Department of Justice, the Department of Commerce, the National Oceanic and Atmospheric Administration, the U.S. Army, the Department of Transportation, the Department of Interior, the Department of Health and Human Services, the Department of Agriculture, and the Environmental Protection Agency.

ADMINISTRATIVE AND REGIONAL OPERATIONS

The conferees agree to provide \$167,000,000, instead of \$168,589,000 as proposed by the House. The Senate provided \$165,214,000 for Administrative and Regional Operations under Operating Expenses. Funding is available until September 30, 2004, as proposed by the House, instead of until expended as proposed by the Senate. The conferees agree to provide an additional \$1,733,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Funding of not to exceed \$3,000 is provided for official reception and representation expenses.

OPERATING EXPENSES

(RESCISSION OF FUNDS)

The conferees rescind \$3,000,000 of the funds provided by Public Law 108-11, as proposed by the Senate. The House bill included no similar provision.

PUBLIC HEALTH PROGRAMS

The conferees agree to provide \$484,000,000, as proposed by the House. The Senate provided \$434,000,000 under Operating Expenses. Of the funds provided, \$400,000,000 shall be available for the Strategic National Stockpile, to remain available until expended; \$34,000,000 for the National Disaster Medical

System; and \$50,000,000 for the Metropolitan Medical Response System.

BIODEFENSE COUNTERMEASURES

The conferees agree to provide \$5,593,000,000 for fiscal years 2004 through 2013 as proposed by the House. Not to exceed \$890,000,000 is available for obligation in fiscal year 2004, and not to exceed \$3,418,000,000 is available for obligation in fiscal years 2004-2008 as proposed by the House. The Senate included no similar provision.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The conferees agree to retain the Radiological Emergency Preparedness Program as a separate appropriation, as proposed by the Senate. The House proposed the Radiological Emergency Preparedness Program be funded under Preparedness, Mitigation, Response, and Recovery.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$1,800,000,000, as proposed by the House, instead of \$1,956,000,000 as proposed by the Senate. Of the funds provided, not to exceed \$22,000,000 shall be transferred to the Office of Inspector General. Funds are available until expended. The conferees direct the continuation of the Section 404 post-disaster hazard mitigation grants program as part of a comprehensive mitigation strategy.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The conferees agree to provide \$560,000 for administrative expenses, instead of \$558,000 as proposed by the House and \$557,000 as proposed by the Senate. The conferees agree to provide an additional \$3,000 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. Gross obligations for the principal amount of direct loans shall not exceed \$25,000,000, as proposed by both the House and Senate.

NATIONAL PRE-DISASTER MITIGATION FUND

The conferees agree to provide \$150,000,000, as proposed by the Senate. The House proposed \$180,000,000 for pre-disaster mitigation under Grant Programs. Not to exceed 3 percent may be used for administrative expenses. Funds are available until expended. The conferees do not provide \$250,000 to each state for planning purposes, as proposed by the House.

FLOOD MAP MODERNIZATION FUND

The conferees agree to provide \$200,000,000, as proposed by both the House and the Senate. Not to exceed 3 percent may be used for administrative expenses. Funds are available until expended.

To correct a misprint on page 54 of House Report 108-169, the conferees agree, in the first line of the first paragraph after the heading "Flood Mapping Projects", to insert "Perry," after "of".

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide up to \$32,663,000 for salaries and expenses as proposed by the Senate, instead of \$32,761,000 as proposed by the House. The conferees further agree to provide up to \$77,809,000 for flood mitigation activities and limitations of \$55,000,000 for operating expenses, \$565,897,000 for agents' commissions and taxes, and \$40,000,000 for interest on Treasury borrowings as proposed by both the House and the Senate.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$20,000,000 by transfer from the National Flood Insurance Fund, as proposed by the Senate. The

House proposed \$20,000,000 for flood mitigation by transfer under Grant Programs. Funds are available until September 30, 2005.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS (EMPG)

The conferees agree to provide \$180,000,000, instead of \$165,000,000 as proposed by the Senate. The House provided \$168,000,000 for EMPGs under Preparedness, Mitigation, Response, and Recovery. Not to exceed 3 percent may be used for administrative expenses. The conferees agree that EMPGs shall remain in the Emergency Preparedness and Response Directorate where the focus is an all-hazards approach to emergency management. In addition, the conferees direct the continuation of funding personnel expenses, as stated in both the House and Senate reports.

EMERGENCY FOOD AND SHELTER

The conferees agree to provide \$153,000,000, as proposed by both the House and the Senate. Not to exceed 3.5 percent may be used for administrative expenses. Funds are available until expended.

CERRO GRANDE FIRE CLAIMS

The conferees agree to provide \$38,062,000, as proposed by the Senate. The House included no similar provision. Not to exceed 5 percent may be used for administrative expenses. Funds are available until expended. This funding will fully cover all remaining Cerro Grande fire claims.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES

CITIZENSHIP AND IMMIGRATION SERVICES

The conferees agree to provide \$236,126,000 for the Bureau of Citizenship and Immigration Services (BCIS), instead of \$248,500,000 as proposed by the House and \$229,377,000 as proposed by the Senate. This includes: \$3,836,000 for physical security and staffing; \$5,600,000 to cover the costs of 2003 pay increases and unspecified administrative reductions; and \$1,125,500 to partially offset the costs of the fiscal year 2004 4.1 percent pay adjustment. The conferees do not provide additional funding requested for information technology and for a program evaluation unit, but strongly support establishment of a program evaluation unit if funded through fee collections. Within the funds provided, not to exceed \$5,000 is provided for official reception and representation expenses.

TAMPER-PROOF TRAVEL AND IDENTIFICATION DOCUMENTS

The conferees are concerned that certain documents issued by the Department of Homeland Security and the State Department represent a significant security risk, being vulnerable to fraud, misuse, and counterfeiting to permit illegal entry into the United States or false identification. These include travel documents such as Refugee Travel Documents, Re-Entry Permits, Seamen Booklets, and Advance Parole Documents, as well as old identification cards issued to Mexican citizens. The conferees are aware of efforts to improve security of such documents, but believe that far more must be done.

The conferees direct the Department, in cooperation with the Department of State, to: (1) develop and implement a plan to replace old Mexican identification cards by September 30, 2004; and (2) initiate a pilot program to develop tamper-proof documents. That program should take into account all relevant current and planned International Civil Aviation Organization standards, and incorporate security features such as biometrics (including fingerprint and photograph templates) as well as embedded contactless programmable chips. In addition,

such a program should be carried out in consultation with the Forensic Development Laboratory of the Bureau of Immigration and Customs Enforcement.

CONTRACT MANAGEMENT

The conferees are troubled by a July 2003 General Accounting Office (GAO) report that outlined significant contracting weakness within legacy INS agencies, including functions transferred to BCIS. Among other problems, the GAO found that agencies lacked basic infrastructure for contract management and oversight, and documented a lack of procurement coordination. The contract for records management services at the regional support centers in California, Vermont, Texas, and Nebraska is an example of a critical activity dependent on competent oversight. The GAO recommended that the Department undertake a number of significant steps to ensure adequate oversight, management, and staffing for procurement, to include use of cross-functional acquisition teams, procurement performance measures, and upgrading procurement and financial information systems. As the Department has agreed to proceed in accordance with the GAO recommendations, the conferees direct that the Department submit a report to the Committees on Appropriations not later than April 1, 2004, on its specific plans and timetable for implementing these recommendations.

OFFSETTING FEE COLLECTIONS

Current estimates of examination fee collections, which constitute the majority of BCIS offsetting resources, are \$1,564,000,000. These support the adjudication of applications for immigration benefits and would be derived from fees collected from persons applying for immigration benefits. Operations are heavily dependent on a variety of fees to offset operations, particularly the Immigration Examination Fee. The fluctuation of these fees can adversely affect operations if allowances are not made for prioritizing spending. The conferees direct BCIS to ensure that it fully funds current, ongoing base operations that are fee-supported before undertaking new initiatives. The conferees also agree to correct page 57 of House Report 108-169 to delete the reference to the Microfilm Rescue Project.

The following table displays how the conferees expect these fees will be applied:

Citizenship and Immigration Services, Offsetting Collections:	
Backlog Elimination Initiative	\$20,000,000
Telephone Customer Service Center Operations	43,000,000
Digitization Projects	20,400,000
Other Immigration Staffing and Operations	1,480,600,000
Total, Citizenship and Immigration Services, Offsetting Collections	1,564,000,000
FEDERAL LAW ENFORCEMENT TRAINING CENTER	

SALARIES AND EXPENSES

The conferees agree to provide \$155,423,000, instead of \$136,629,000 as proposed by the House and \$172,736,000 as proposed by the Senate. The additional \$33,044,000 provided above the budget request is to be used for expenses related to the anticipated growth in student weeks of basic training (\$32,120,000), including retention of 130 instructors first provided in fiscal year 2003, and to offset a portion of the costs of the fiscal year 2004 4.1 percent pay parity (\$924,000). Within this total, \$36,174,000 is for materials and support and not to exceed \$12,000 may be used for of-

ficial reception and representation expenses. The conferees also include bill language authorizing reimbursement for the use of personal cellular phones for official duties, as proposed by the House. Funds in this account are available until September 30, 2005, as proposed by the Senate, instead of September 30, 2006, as proposed by the House.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide \$37,357,000, instead of \$32,323,000 as proposed by the House and \$28,708,000 as proposed by the Senate. Funds above the budget request (+\$13,678,000) are for priorities at the Center's facilities in Cheltenham, Maryland, and Artesia, New Mexico. The conference agreement includes bill language that authorizes the Center to accept reimbursements from government agencies requesting construction of special use facilities operated by the Federal Law Enforcement Training Center, as proposed by the House. The Senate bill contained no similar provision.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

The conferees agree to provide \$125,000,000 for management and administration. The Senate proposed \$10,460,000 for the Office of the Under Secretary for Information Analysis and Infrastructure Protection (IAIP) and the House proposed this funding under Title I. The funding recommendation includes \$4,800,000 for the Office of the Under Secretary; \$100,200,000 for other salaries and expenses for federal employees in the IAIP directorate; and \$20,000,000 for the Department's command center. The House and Senate provided funding for the command center in two separate accounts, as requested. The conference agreement consolidates this funding within the IAIP management and administration program. Within the funds provided for the Office of the Under Secretary, travel expenses may not exceed \$231,000.

The conferees want to ensure that personnel requirements for critical intelligence positions are met and direct the Department to submit a report by December 15, 2003, on plans to meet the personnel requirements of the IAIP directorate, improve communications and disseminate information between the directorate and the intelligence community, and improve coordination between the directorate and state and local public safety entities. This report should include the specific manpower details requested in the House report.

ASSESSMENTS AND EVALUATIONS

The conferees agree to provide \$714,300,000 for assessments and evaluations instead of \$776,000,000 as proposed by the House and \$823,700,000 as proposed by the Senate. All funding for federal salaries and expenses has been moved from the individual programs, as proposed by the House, and is provided in the management and administration account. Funds in this account are available until September 30, 2005.

THREAT DETERMINATION AND ASSESSMENT

The conferees agree to provide \$28,400,000 as proposed by the House.

INFORMATION AND WARNING ADVISORIES

The conferees agree to provide \$52,300,000, of which \$32,800,000 is for cybersecurity, as proposed by the Senate.

The conference agreement includes the use of \$10,000,000 within information and warning advisories funding to better develop a national alert system to notify the general public in the event of a terrorist attack. Redundancy in the dissemination of warnings is essential. The conferees are aware of the capabilities of the National Oceanic and Atmospheric Administration (NOAA) nationwide radio network and direct the Under

Secretary to report to the Committees on Appropriations by December 15, 2003, on the immediate use of the NOAA radio network as a key component of the warning systems, measures to expand consumer access to the warning systems, and efforts to educate and inform the public about the existence of this warning system.

The Under Secretary should consult with the Chairman of the Federal Communications Commission to develop the best way to communicate with the general public during threat alerts by using a full range of communication devices, such as wireline and cellular telephones, e-mail and instant messaging systems, radio and television broadcasts, and personal digital assistants. To the extent possible, the Department should incorporate existing federal, state, and local alert systems and consult with state and local public safety and emergency preparedness agencies.

The conferees direct the Under Secretary to report to the Committees on Appropriations by December 15, 2003, on proposed improvements to the Homeland Security Advisory System including an assessment of how the system is fulfilling its intended missions, and an evaluation of progress being made to tailor the system so that alerts are raised on a regional rather than national basis.

INFRASTRUCTURE VULNERABILITY AND RISK ASSESSMENT

The conferees agree to provide \$84,200,000 as proposed by the House.

REMEDIATION AND PROTECTIVE ACTIONS

The conferees agree to provide \$345,100,000. Funding of \$3,900,000 is provided for the critical infrastructure information management office to establish a program to enable and manage the sharing of critical infrastructure information among federal, state, local, and private sector homeland security officials. The office is to develop and deploy information management tools and techniques to provide quick, complete access to information relevant to the protection of physical and cyber critical infrastructure.

The conference agreement provides \$172,700,000 for vulnerability field assessments. In scheduling and performing vulnerability assessments of critical infrastructure and key assets, the conferees expect the Department to ensure that public assembly facilities are also addressed.

Funding of \$65,700,000 is provided for cybersecurity, as proposed by the Senate, and \$8,000,000 is provided for protection standards and performance metrics.

The conferees are aware that the Department of Energy and the Nuclear Regulatory Commission are reviewing and analyzing the safety and security of spent nuclear fuel storage at commercial nuclear power plants. The Under Secretary is directed to perform an independent review and analyses of this information as it becomes available.

NATIONAL COMMUNICATIONS SYSTEM

The conferees agree to provide \$141,000,000 as proposed by the House.

ADMINISTRATION AND OUTREACH

For administration and outreach programs, the conferees agree to provide \$18,900,000 for competitive analysis and evaluation, \$3,500,000 for national plans and strategies, and \$40,900,000 for outreach and partnerships, as proposed by the House.

CONFERENCE FUNDING LEVELS

Program	Amount
Threat determination and assessment	\$28,400,000
Information and warning advisories	52,300,000
Infrastructure vulnerability and risk assessment	84,200,000
Remediation and protective actions	345,100,000
National communications system	141,000,000

Program	Amount
Competitive analysis and evaluation	18,900,000
National plans and strategies	3,500,000
Outreach and partnerships	40,900,000

Total, Assessments and Evaluations	714,300,000
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SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

The conferees agree to provide \$44,168,000 for management and administration instead of \$5,400,000 as proposed by the Senate solely for the Office of the Under Secretary for Science and Technology. The House provided funding for this office under Title I. The funding recommendation includes \$5,168,000 for the immediate Office of the Under Secretary and \$39,000,000 for other salaries and expenses for federal employees in the Science and Technology Directorate. Within the funds provided for the Office of the Under Secretary, travel expenses may not exceed \$250,000.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

The conferees agree to provide \$874,000,000 for research, development, acquisition, and operations instead of \$900,360,000 as proposed by the House and \$866,000,000 as proposed by the Senate. The recommendation includes the use of \$68,000,000 of prior year unobligated funds that will remain available for use in fiscal year 2004. All funding for federal salaries and expenses has been moved from the individual programs, as proposed by the House, and is provided in the management and administration account. Funds in this account are available until expended, as proposed by the Senate.

The conferees are concerned that research and development is being conducted independently by each of the Department's legacy components leading to duplicative research activities, wasted funds, and lack of appropriate management oversight. The Department is directed to consolidate all Departmental research and development funding within the science and technology programs in the fiscal year 2005 budget request.

BIOLOGICAL COUNTERMEASURES

The conference agreement includes \$198,500,000 and the use of \$68,000,000 of prior year unobligated funds that will remain available for use in fiscal year 2004. This funding level supports the budget request for the individual programs within biological countermeasures with the following exceptions: \$18,500,000 is transferred to management and administration for federal salaries and expenses; an additional \$15,000,000 is provided for the urban monitoring program; signatures and bioassays is reduced by \$5,000,000; and \$88,000,000 for construction of the National Biodefense Analysis and Countermeasures Center is funded as a separate program.

NUCLEAR AND RADIOLOGICAL COUNTERMEASURES

The conference agreement includes \$127,000,000. This supports the budget request with the following exceptions: \$7,000,000 is transferred to management and administration for federal salaries and expenses, and sensor research and development is reduced by \$3,000,000.

CHEMICAL AND HIGH EXPLOSIVES COUNTERMEASURES

The conference agreement includes \$52,000,000 for chemical countermeasures and \$9,500,000 for high explosives countermeasures, as proposed by the House.

THREAT AND VULNERABILITY, TESTING AND ASSESSMENT

The conference agreement includes \$93,500,000. This supports the budget request with the following exceptions: \$4,500,000 is

transferred to management and administration for federal salaries and expenses; cybersecurity is increased by \$11,000,000; and the remaining programs are reduced by a total of \$3,000,000.

CONVENTIONAL MISSIONS IN SUPPORT OF DHS

The conference agreement includes \$34,000,000, allocated as follows: \$25,000,000 for border and transportation security; \$2,000,000 for the Secret Service; and \$10,000,000 for emergency preparedness and response. Funding of \$3,000,000 is transferred to management and administration for federal salaries and expenses.

RAPID PROTOTYPING PROGRAM/TECHNICAL SUPPORT WORKING GROUP

The conference agreement includes \$75,000,000, an increase of \$45,000,000 over the budget request of \$30,000,000. The conferees encourage Science and Technology to evaluate information sharing proposals between the law enforcement and intelligence communities.

STANDARDS/STATE AND LOCAL PROGRAM

The conference agreement includes \$39,000,000, as proposed by the House, which transfers \$15,000,000 for development of standards from the Office for Domestic Preparedness (ODP). The conferees expect all standards development in the Department to be done by Science and Technology. Working with the public and private sectors, Science and Technology will develop a network of security certification laboratories to provide a consistent level of assurance in the effectiveness of homeland security technologies, systems, and equipment, and allow state and local governments to make better informed decisions on equipment needs. The conferees direct Science and Technology to continue the standards program established by ODP in coordination with the National Institute of Standards and Technology (NIST), consistent with the fiscal year 2003 budget directive and the 5-year plan for development with NIST.

The conferees support House language regarding search and rescue robotics certification and expect the Department to develop standards and criteria for search and robotics certification.

In preparing the report requested by the House on narrowbanding, Science and Technology is directed to consult with the Department of Commerce, the National Telecommunications and Information Administration, the Department of Justice, the Department of Treasury, and major organizations that support state and local public safety agencies.

The conferees support incorporation by SAFECOM of Project 25 technical standards where applicable, and encourage continued involvement of the user community in development and implementation of standards such as those being developed by Project 25 which allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems.

EMERGING THREATS

The conferees agree to provide \$21,000,000 as proposed by the House.

CRITICAL INFRASTRUCTURE PROTECTION

The conferees agree to provide \$66,500,000, of which \$60,000,000 is provided for research, development, testing, and evaluation of an anti-missile device for commercial aircraft. Funding of \$500,000 is transferred to management and administration for federal salaries and expenses.

UNIVERSITY PROGRAM/HOMELAND SECURITY FELLOWSHIP PROGRAMS

The conferees agree to provide \$70,000,000, an increase of \$60,000,000 over the budget request of \$10,000,000, to establish a university-

based system to enhance the nation's homeland security efforts. The conferees encourage the Department to consider all colleges and universities that meet the requirements of 6 U.S.C. 188 in the selection of university-based centers, including historically black colleges and universities, tribal colleges, Hispanic-serving institutions, and Alaskan Native-serving institutions.

NATIONAL BIODEFENSE ANALYSIS AND
COUNTERMEASURES CENTER

The conferees agree to provide \$88,000,000 to initiate construction of a National Biodefense Analysis and Countermeasures Center that is to be the principal Department of Homeland Security component of the Fort Detrick Interagency Biodefense Campus in Maryland.

CONFERENCE FUNDING LEVELS

Program	Amount
Biological countermeasures	\$198,500,000
Nuclear and radiological countermeasures	127,000,000
Chemical countermeasures	52,000,000
High explosives countermeasures	9,500,000
Threat and vulnerability, testing and assessment ...	93,500,000
Conventional missions in support of DHS	34,000,000
Rapid prototyping/Technical support working group	75,000,000
Standards/State and local program	39,000,000
Emerging threats	21,000,000
Critical infrastructure protection	66,500,000
University programs/homeland security fellowships	70,00,000
National Biodefense Analysis and Countermeasures Center	88,000,000
Total, Assessments and Evaluations	874,000,000

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Section 501. The conferees agree to a provision that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. The conferees agree to a provision that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The conferees agree to a provision that provides reprogramming authority for funds within an account and not to exceed 5 percent transfer authority between appropriation accounts with the requirement for a 15-day advance Congressional notification. A detailed funding table identifying each Congressional control level for reprogramming purposes is included at the end of the statement of the managers. These reprogramming guidelines shall be complied with by all agencies funded by the Department of Homeland Security Appropriations Act, 2004.

The conferees expect the Department to submit reprogramming requests on a timely basis and not wait until the end of the fiscal year in an attempt to use funds that would otherwise expire. Any reprogramming that is submitted within 45 days of the end of the fiscal year must be due to exceptional or emergency circumstances. Additionally, the conferees are concerned that reprogramming requests submitted to date by the Department have not been sufficiently documented. Justifications have been incomplete and explanations of funding offsets have been inadequate requiring time consuming follow-up

questions and briefings. The conferees expect the Department to review its internal reprogramming process to correct these deficiencies in fiscal year 2004.

Section 504. The conferees agree to a provision that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2004 from appropriations made for salaries and expenses shall remain available through fiscal year 2005 subject to reprogramming guidelines.

Section 505. The conferees agree to a provision that allows the use of funds for: purchase of uniforms without regard to the general purchase price limitation, purchase of insurance for official vehicles in foreign countries, entering into contracts with the State Department for furnishing health and medical services to employees serving in foreign countries, hire and purchase of motor vehicles, and purchase of police-type passenger vehicles without regard to the general purchase price limitation, and make this provision permanent.

Section 506. The conferees agree to a provision that converts the Federal Emergency Management Agency "Working Capital Fund" to the "Department of Homeland Security Working Capital Fund".

Section 507. The conferees agree to a provision that converts the Federal Emergency Management Agency "Bequests and Gifts" account to the "Department of Homeland Security, Gifts and Donations" account.

Section 508. The conferees agree to a provision that provides that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2004 until the enactment of an Act authorizing intelligence activities for fiscal year 2004.

Section 509. The conferees agree to a provision that directs the Federal Law Enforcement Training Center to establish an accrediting body to establish standards for assessing federal law enforcement training programs, facilities, and instructors.

Section 510. The conferees agree to a provision that requires notification of the Committees on Appropriations 3 days before any grant allocation, discretionary grant award, or letter of intent totaling \$1,000,000 or more is announced by the Department.

Section 511. The conferees agree to a provision that no agency shall purchase, construct, or lease additional facilities for federal law enforcement training without advance approval of the Committees on Appropriations.

Section 512. The conferees agree to a provision that requires the Director of the Federal Law Enforcement Training Center to ensure that all training facilities are operated at optimal capacity throughout the fiscal year.

Section 513. The conferees agree to a provision that none of the funds may be used to produce customs declarations that do not inquire whether a passenger has been in proximity to livestock, and make this provision permanent.

Section 514. The conferees agree to a provision that none of the funds may be used for any activity or to pay the salary of any government employee if that would result in a determination, regulation, or policy that would prohibit enforcement of section 307 of the Tariff Act of 1930, and make this provision permanent.

Section 515. The conferees agree to a provision that none of the funds may be used to import goods that have been produced by forced or indentured child labor, and make this provision permanent.

Section 516. The conferees agree to a provision that none of the funds may be used for any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved.

Section 517. The conferees agree to a provision that none of the funds may be used to require airport sponsors to provide building modifications, utilities and expenses, or space to the Transportation Security Administration without cost for services related to aviation security.

Section 518. The conferees agree to a provision that none of the funds may be used in contravention of the Buy American Act.

Section 519. The conferees modify a provision related to the Computer Assisted Passenger Prescreening System (CAPPS II). The provision prohibits the use of funds for deployment or implementation of CAPPS II until certain conditions are met.

Section 520. The conferees agree to a provision that the Secretary of Homeland Security shall charge reasonable fees for providing credentialing and background investigations for transportation purposes, and may credit the fees to the appropriation available for that purpose, and make this provision permanent.

Section 521. The conferees modify a provision regarding the inspection of air cargo.

PROVISIONS NOT ADOPTED

The conference agreement deletes section 604 of the Senate bill providing that no Departmental employee may be detailed to another component without compensation. This requirement is addressed in the statement of managers.

The conference agreement deletes section 606 of the Senate bill providing a single official reception and representation expenses account. These funds have been provided in separate accounts.

The conference agreement deletes section 616 of the Senate bill requiring a report on countermeasures against shoulder-fired missile systems. This requirement is addressed in the statement of managers.

The conference agreement deletes section 617 of the Senate bill requiring a report on security costs incurred by state and local law enforcement offices for visits by foreign and domestic officials.

The conference agreement deletes section 619 of the Senate bill requiring a report on the Homeland Security Advisory System. This requirement is addressed in the statement of managers.

The conference agreement deletes section 620 of the Senate bill expressing the sense of the Senate that tourist populations should be factored into grant allocations.

The conference agreement deletes section 621 of the Senate bill requesting a review of damage claims from the University of North Dakota.

The conference agreement deletes section 622 of the Senate bill requiring a report on state and local law enforcement access to the "Tipoff" database.

The conference agreement deletes section 623 of the Senate bill requiring a report on information technology infrastructure. This requirement is addressed in the statement of managers.

The conference agreement deletes section 624 of the Senate bill prohibiting use of funds for companies that incorporate overseas.

The conference agreement deletes section 625 of the Senate bill requiring the department to ensure active minority institution participation in the university research program. This requirement is addressed in the statement of managers.

The conference agreement deletes section 626 of the Senate bill requiring a report on enhancing operations of the Information Analysis and Infrastructure Protection program. This requirement is addressed in the statement of managers.

The conference agreement deletes section 627 of the Senate bill requiring a report on all data-mining programs.

The conference agreement deletes section 628 of the Senate bill directing the Secretary to consider unique geographical needs when establishing priorities for firefighting vehicles. This requirement is addressed in the statement of managers.

The conference agreement deletes section 629 of the Senate bill requiring a report on the status of air traffic control communications. This requirement is addressed in the statement of managers.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in this bill are contained in the following table:

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

FY 2004
Request

Conference
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DEPARTMENT OF HOMELAND SECURITY

TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS

Departmental Operations

Immediate Office of the Secretary.....	2,340	2,139
Immediate Office of the Deputy Secretary.....	1,207	1,116
Office of Security.....	20,025	19,899
Chief of Staff.....	5,284	5,047
Executive Secretary.....	6,103	5,239
Special Assistant to the Secy/Private Sector.....	4,777	3,995
Office of National Capital Region Coordinator.....	583	560
Office of State and Local Government Coordination.....	3,698	3,095
Office of International Affairs.....	1,384	1,165
Office of Public Affairs.....	9,633	8,168
Office of Legislative Affairs.....	7,463	5,907
Office of General Counsel.....	10,750	8,696
Office of Civil Rights and Liberties.....	14,885	13,027
Citizenship and Immigration Services Ombudsman....	1,304	1,243
Homeland Security Advisory Committee.....	767	726
Privacy Officer.....	767	772

Subtotal, Office of the Secretary and
Executive Management.....

90,970 80,794

Office of the Under Secretary for Management:

Under Secretary for Management.....	1,471	1,278
Strategic Initiatives.....	1,844	---
Office of Chief Financial Officer.....	12,175	10,592
Office of Procurement.....	7,134	6,171
Office of Human Resources.....	7,824	6,743
Office of Chief Information Officer.....	82,167	60,496
Office of Administration.....	28,809	25,703
Headquarters.....	30,000	20,000

Subtotal, Office of the Under Secretary for
Management.....

171,424 130,983

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement

Other Departmental Operations		
Office of the Under Secretary for Border and Transportation Security.....	10,132	---
Office of the Under Secretary for Information Analysis and Infrastructure Protection.....	5,730	---
Command Center.....	5,459	---
Office of the Under Secretary for Emergency Preparedness and Response.....	4,115	---
Office of the Under Secretary for Science and Technology.....	6,170	---
	-----	-----
Subtotal, Other Departmental Operations.....	31,606	---
	-----	-----
Total, Departmental Operations.....	294,000	211,777
Department-Wide Technology Investments		
Information technology services.....	75,000	72,506
Security activities.....	31,000	31,000
Wireless program.....	100,000	100,000
Salaries and expenses.....	---	2,494
	-----	-----
Subtotal, Department-wide technology investments	206,000	206,000
Transfer from working capital fund.....	---	-21,000
	-----	-----
Total, Department-Wide Technology Investments...	206,000	185,000
Office of Inspector General		
Operating expenses.....	58,118	58,664
Emergency Preparedness and Response Disaster Relief Fund (by transfer).....	(22,000)	(22,000)
	-----	-----
Total, Office of Inspector General.....	(80,118)	(80,664)
	=====	=====
Total, Title I.....	558,118	455,441

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement

TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS		
Office of the Under Secretary for Border and Transportation Security.....	---	8,106
U.S. Visitor and Immigrant Status Indicator Technology.....	---	330,000
Customs and Border Protection		
Salaries and expenses.....	4,170,042	---
Inspection, port operations, and other activities.....	---	2,204,559
Inspection Technologies:		
Wireless PDA Access to Databases: equipment....	14,500	14,500
Non-Intrusive Inspection Technology.....	57,800	63,800
Fiberoptic Scopes.....	6,800	6,800
License Plate Readers.....	6,000	6,000
Customs Automated Operations System (CAOS).....	9,700	9,700
Explosive and Chemical Detector Canine programs.....	17,500	17,500
Other, including Inspection Technology Staff....	6,700	6,700
Subtotal, Inspection technologies.....	119,000	125,000
Container Security Initiative.....	61,754	61,754
Customs-Trade Partnership Against Terrorism.....	18,000	14,100
Free and Secure Trade initiative (FAST).....	3,900	3,900
Agricultural Quarantine Inspection.....	42,000	42,000
Plum Island.....	8,000	---
Textile Transshipment Enforcement.....	---	4,750
Enforcement of laws against forced child labor....	12,725	12,725
Border Patrol operations.....	---	1,924,562
Border Patrol construction.....	43,385	---
Other construction.....	52,167	---
U.S. Visitor and Immigrant Status Indicator Tech..	444,300	---
IT Transformation to Homeland Security Fund.....	30,210	---
ATLAS/CHIMERA IT Connectivity.....	22,395	---
Automated Commercial Environment/		
International Trade Data System (ITDS).....	441,122	---
Air and marine interdiction	175,000	---
Harbor maintenance fee collection (trust fund)....	3,000	3,000
Subtotal, CBP Salaries and expenses.....	5,647,000	4,396,350

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement

Automated Commercial Environment/International Trade Data System (ITDS).....	---	318,690
Automated Commercial System & Legacy IT Costs.....	---	122,432

Subtotal, Automation modernization.....	---	441,122
Construction (Border Patrol).....	---	90,363

Total, Direct appropriations.....	5,647,000	4,927,835
Offsetting fee collections:		
Immigration inspection user fee.....	(509,000)	(509,000)
Immigration examinations fund.....	(25,000)	---
Immigration enforcement fines.....	(6,000)	(6,000)
Land border inspection fee.....	(28,000)	(28,000)
COBRA passenger inspection fee.....	(253,000)	(302,000)

Subtotal, Offsetting fee collections.....	(821,000)	(845,000)

Total, Customs and border protection.....	(6,468,000)	(5,772,835)
Immigration and Customs Enforcement		
AMI Staffing (northern border airwing).....	---	5,400
Investigations, Intelligence, and Interdiction....	903,708	1,041,214
Textile transshipment enforcement.....	---	4,750
Child pornography tipline	---	100
Project Alert	---	200
Enforcement of laws against forced child labor....	3,000	3,000
Intellectual Property Rights Center.....	6,400	6,400
Detention and Removals.....	1,082,186	1,089,986
Detention and removals construction.....	21,000	---
Other construction.....	5,796	---
U.S. Visitor and Immigrant Status Indicator Tech..	35,700	---
ATLAS/CHIMERA IT Connectivity.....	5,210	---

Subtotal, Salaries and expenses.....	2,063,000	2,151,050

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
Rescission.....	---	-54,000
Subtotal, ICE Salaries and expenses.....	2,063,000	2,097,050
Federal Air Marshals:		
Federal Air Marshals.....	---	616,400
Air-to-ground communications.....	---	10,000
Subtotal, Federal Air Marshals.....	---	626,400
Federal Protective Service.....	424,211	424,211
Automation Modernization:		
ATLAS/CHIMERA IT connectivity	---	40,000
Subtotal, Automation Modernization.....	---	40,000
Air and marine interdiction	---	175,000
Northern border airwing.....	---	35,200
Subtotal, Air and marine interdiction.....	---	210,200
Construction.....	---	26,775
Total, Direct appropriations.....	2,487,211	3,424,636
Offsetting fee collections:		
Immigration inspection user fee.....	(132,000)	(107,000)
Immigration examinations fund.....	---	(25,000)
Breached bond/Detention fund.....	(116,000)	(116,000)
SEVIS fund.....	---	(25,000)
COBRA passenger inspection fee.....	(49,000)	---
Subtotal, Offsetting fee collections.....	(297,000)	(273,000)
Total, Immigration and customs enforcement.....	2,784,211	3,697,636

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement

Transportation Security Administration		
Passenger screening:		
Screening pilots.....	112,000	119,000
Passenger screeners--P,C&B.....	1,319,600	1,319,600
Passenger screeners--training and other.....	114,100	114,100
Human resource services.....	153,300	151,000
Checkpoint support.....	62,200	62,000
CAPPS II.....	35,000	35,000
Registered traveler	5,000	5,000
	-----	-----
Subtotal, Passenger screening.....	1,801,200	1,805,700
Baggage screening:		
Baggage screeners--P,C&B.....	774,200	774,200
Baggage screeners--training and other.....	69,500	69,500
EDS purchase.....	---	150,000
EDS installation.....	---	250,000
EDS/ETD maintenance.....	100,000	75,000
Checked baggage data system.....	100	---
	-----	-----
Subtotal, Baggage screening.....	943,800	1,318,700
Airport Security Direction and Enforcement:		
Aviation regulation and other enforcement	366,800	275,400
Airport management and staff.....	283,800	233,800
Airport information technology & other support	176,200	139,100
Federal flight deck officer program.....	25,000	25,000
Air cargo.....	20,000	30,000
	-----	-----
Subtotal, Airport security direction and enforcement.....	871,800	703,300
Use of prior year balances.....	---	-95,000
	-----	-----
Subtotal, Aviation security.....	3,616,800	3,732,700
Port security grants.....	---	125,000
Credentialing (TWIC).....	55,000	50,000
Intercity bus security.....	---	10,000
Operation Safe Commerce.....	2,500	17,000
Trucking industry security.....	---	22,000

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
Hazardous materials security.....	---	7,000
Nuclear detection and monitoring.....	---	4,000
Staffing and operations.....	28,000	28,000
Subtotal, Maritime and land security.....	85,500	263,000
Intelligence.....	13,600	13,600
Research & development at Tech Center.....	55,200	55,200
Next generation EDS and ETC.....	10,000	45,000
Air cargo.....	10,000	55,000
Subtotal, Research and development.....	75,200	155,200
Headquarters administration.....	167,700	173,700
Mission support centers.....	40,000	40,000
Information technology	198,100	198,100
Corporate training.....	15,400	15,400
Subtotal, Administration.....	421,200	427,200
Subtotal, TSA.....	4,212,300	4,591,700
Offsetting collections.....	-2,070,000	-2,070,000
Total, Transportation security administration...	2,142,300	2,521,700

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
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United States Coast Guard		
Military pay and allowances.....	2,568,207	2,568,207
Civilian pay and benefits.....	381,246	385,493
Training and recruiting.....	---	164,240
Operating funds and unit level maintenance.....	1,041,107	866,507
Centrally managed accounts.....	---	129,400
Intermediate and depot level maintenance.....	607,108	599,208
	<hr/>	<hr/>
Subtotal, operating expenses.....	4,597,668	4,713,055
Less adjustment for Defense function.....	-99,668	-340,000
Defense function.....	340,000	340,000
Rescissions.....	---	-71,000
	<hr/>	<hr/>
Subtotal, Operating expenses.....	4,838,000	4,642,055
Environmental compliance and restoration.....	---	17,000
Reserve training.....	---	95,000
Acquisition, Construction, and Improvements:		
Vessels:		
Great Lakes Icebreaker (GLIB) replacement.....	2,000	2,000
41 foot UTB and NSB replacement project.....	12,000	12,000
9 add'l coastal patrol boats to enforce securi	52,500	52,500
	<hr/>	<hr/>
Subtotal, Vessels.....	66,500	66,500
Automatic identification system.....	---	24,000
Defense messaging system (DMS).....	4,500	3,500
National distress & response sys modernization	134,000	134,000
Port and waterway safety.....	---	1,000
	<hr/>	<hr/>
Subtotal, Other equipment.....	138,500	162,500
Core acquisition costs.....	500	500
Direct personnel cost.....	69,500	69,500
	<hr/>	<hr/>
Subtotal, Personnel compensation & benefits.	70,000	70,000
Aircraft.....	67,700	142,700
Surface ships.....	230,400	302,600

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
C4ISR.....	80,400	101,400
Logistics.....	45,400	45,400
Systems engineering & integration.....	42,100	42,100
Government program management.....	34,000	34,000
Subtotal, Integrated deepwater systems.....	500,000	668,200
Research, development, test, and evaluation.....	22,000	---
Subtotal, AC&I.....	797,000	967,200
Alteration of bridges.....	---	19,250
Research, development, test, and evaluation.....	---	15,000
Subtotal, U.S. Coast Guard discretionary.....	5,635,000	5,755,505
Retired pay (mandatory).....	1,020,000	1,020,000
Total, United States Coast Guard.....	6,655,000	6,775,505
United States Secret Service		
Protective, Investigative, & Uniformed Activities:		
Other Prot., Investigative & Unif. Activities.....	1,017,790	1,048,875
White House Mail Screening and Processing.....	33,000	16,365
Investigations of Missing/Exploited Children:		
Support.....	1,633	2,100
Grants.....	3,009	5,000
Presidential Candidate Protective Activities.....	64,940	64,940
Subtotal, Salaries and expenses.....	1,120,372	1,137,280
Acquisition, construction, improvements & related exp.	3,579	3,579
Total, United States Secret Service.....	1,123,951	1,140,859
Total, Title II.....	18,055,462	19,128,641

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

FY 2004
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TITLE III - PREPAREDNESS AND RECOVERY

Office for Domestic Preparedness

Office for Domestic Preparedness.....	2,558,000	---
State and local programs:		
Basic formula grants.....	---	1,700,000
Law enforcement terrorism prevention grants...	500,000	500,000
Firefighter assistance grants.....	500,000	---
High-threat High-density urban area.....	---	725,000
Citizen Corps.....	---	40,000
National domestic preparedness consortium.....	---	135,000
Technical assistance.....	---	30,000
National exercise program.....	---	50,000
Competitive training grants.....	---	60,000
Equipment and testing.....	---	17,000
Management and administration.....	---	30,000
Subtotal, State and local programs.....	1,000,000	3,287,000
Firefighter assistance grants.....	---	750,000
Total, Office of Domestic Preparedness.....	3,558,000	4,037,000
Counterterrorism fund.....	40,000	10,000

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
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Emergency Preparedness and Response		
Office of the Under Secretary for Emergency Preparedness and Response.....	---	3,450
Operating expenses:		
Preparedness, mitigation, response and recovery...	163,000	---
Administrative and regional operations.....	165,267	---
Public health programs.....	434,000	---
Rescissions.....	---	-3,000
	<hr/>	<hr/>
Subtotal, Operating expenses.....	(762,267)	(-3,000)
Preparedness, mitigation, response and recovery:		
Operating activities.....	---	165,000
Urban search and rescue teams.....	---	60,000
Subtotal, Preparedness, Mitigation, Response and Recovery	---	225,000
Administrative and regional operations.....	---	167,000
Strategic national stockpile.....	---	400,000
National disaster medical system.....	---	34,000
Metropolitan medical response system.....	---	50,000
	<hr/>	<hr/>
Subtotal, Public health programs.....	---	484,000
Biodefense countermeasures.....	890,000	890,000
Advance appropriations.....	4,703,000	4,703,000
	<hr/>	<hr/>
Subtotal, Biodefense countermeasures.....	5,593,000	5,593,000
Radiological emergency preparedness program.....	1,000	---
Radiological emergency preparedness fund.....	-1,000	---
Disaster relief.....	1,956,000	1,800,000
(Transfer to Office of the Inspector General).....	(-22,000)	(-22,000)
Disaster assistance direct loan program account:		
(Limitation on direct loans).....	(25,000)	(25,000)
Administrative expenses.....	557	560

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
National pre-disaster mitigation fund.....	---	150,000
Flood map modernization fund.....	200,000	200,000
National flood insurance fund:		
(Limitation on administrative expenses):		
Salaries and expenses.....	32,663	32,663
Flood mitigation.....	77,809	77,809
Subtotal, National flood insurance fund.....	110,472	110,472
(Transfer to Grant programs).....	(-20,000)	---
(Transfer to National flood mitigation fund).....	---	(-20,000)
National flood mitigation fund (by transfer).....	---	(20,000)
Grant programs.....	280,000	---
National flood insurance fund (by transfer).....	(20,000)	---
Subtotal, Grant programs.....	(300,000)	---
Emergency Management Performance Grants.....	---	180,000
Emergency food and shelter.....	153,000	153,000
Cerro Grande fire claims.....	---	38,062
Total, Emergency Preparedness and Response.....	9,055,296	9,101,544
Total, Title III.....	12,653,296	13,148,544
Current Year appropriations.....	(7,950,296)	(8,448,544)
Advance appropriations.....	(4,703,000)	(4,703,000)

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement

TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES		
Citizenship and Immigration Services		
Operating expenses.....	155,000	156,126
Backlog Elimination Initiative.....	80,000	80,000
	-----	-----
Subtotal, Operating expenses.....	235,000	236,126
Offsetting fee collections:		
Immigration user fee.....	(4,000)	(4,000)
Immigration examinations fund.....	(1,550,000)	(1,550,000)
H-1b Visa fees.....	(10,000)	(10,000)
	-----	-----
Subtotal, Offsetting fee collections.....	(1,564,000)	(1,564,000)
	-----	-----
Total, Citizenship and immigration services.....	(1,799,000)	(1,800,126)
Federal Law Enforcement Training Center		
Salaries and expenses.....	122,379	155,423
Acquisition, const, improvements & related expenses...	23,679	37,357
	-----	-----
Total, Federal Law Enforcement Training Center..	146,058	192,780
Information Analysis and Infrastructure Protection		
Management and administration:		
Office of the Under Secretary for Information Analysis and Infrastructure Protection.....	---	4,800
Other salaries and expenses.....	---	100,200
DHS Command Center.....	---	20,000
	-----	-----
Subtotal, Management and administration.....	---	125,000

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
Threat determination and assessment.....	32,000	28,400
Information and warning advisories.....	69,700	52,300
Infrastructure vulnerability and risk assessment..	95,000	84,200
Remediation and protective actions.....	383,900	345,100
National communications system.....	155,000	141,000
Competitive analysis and evaluation.....	20,000	18,900
National plans and strategies.....	5,000	3,500
Outreach and partnerships.....	60,000	40,900
Office of the Under Secretary for IAIP.....	8,400	---
Subtotal, Assessments and evaluations.....	829,000	714,300
Total, Info Analysis & Infrastructure Protection	829,000	839,300
Science and Technology		
Management and administration:		
Office of the Under Secretary for Science and Technology.....	---	5,168
Other salaries and expenses.....	---	39,000
Subtotal, Management and administration.....	---	44,168
Biological countermeasures:		
Operating expenses.....	274,735	266,500
Construction.....	90,000	---
Use of prior year balances.....	---	-68,000
Subtotal, Biological countermeasures.....	364,735	198,500
Nuclear and radiological countermeasures.....	136,625	127,000
Chemical countermeasures.....	55,000	52,000
High explosives countermeasures.....	10,000	9,500
Threat and vulnerability, testing and assessment..	90,000	93,500
Conventional missions in support of DHS.....	55,000	34,000

DEPARTMENT OF HOMELAND SECURITY
(IN THOUSANDS OF DOLLARS)

	FY 2004 Request	Conference Agreement
Rapid prototyping program/ Technical support working group.....	30,000	75,000
Standards/State and local program.....	25,000	39,000
Emerging threats.....	22,000	21,000
Critical infrastructure protection.....	5,000	66,500
University programs/Homeland security fellowship..	10,000	70,000
National Biodefense Analysis and Countermeasures Center.....	---	88,000
Subtotal, Research, development, acquisition, and operations.....	803,360	874,000
Total, Science and Technology.....	803,360	918,168
Total, Title IV.....	2,013,418	2,186,374
Total, Department of Homeland Security.....	33,280,294	34,919,000

CONGRESSIONAL BUDGET RECAP

Scorekeeping adjustments:		
Airline bailout.....	215,000	215,000
Less advance appropriations for subsequent years	-4,703,000	-4,703,000
Total, scorekeeping adjustments.....	-4,488,000	-4,488,000
Total (including adjustments).....	28,792,294	30,431,000
Amount in this bill.....	(33,280,294)	(34,919,000)
Scorekeeping adjustments.....	(-4,488,000)	(-4,488,000)
Total mandatory and discretionary.....	28,792,294	30,431,000
Mandatory.....	(1,020,000)	(1,020,000)
Discretionary.....	(27,772,294)	(29,411,000)

CONFERENCE TOTAL--WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2003.....	\$	29,764,233
Budget estimates of new (obligational) authority, fiscal year 2004.....		29,392,294
House bill, fiscal year 2004.....		30,430,982
Senate bill, fiscal year 2004.....		29,541,000
Conference agreement, fiscal year 2004.....		30,431,000
Conference agreement compared with:		
New budget (obligational) authority, fiscal year 2003.....		+666,767
Budget estimates of new (obligational) authority, fiscal year		
2004.....		+1,038,706
House bill, fiscal year 2004.....		+18
Senate bill, fiscal year 2004.....		+890,000

HAROLD ROGERS,
C.W. BILL YOUNG,
FRANK R. WOLF,
ZACH WAMP,
TOM LATHAM,
JO ANN EMERSON,
KAY GRANGER,
JOHN E. SWEENEY,
DON SHERWOOD,
MARTIN OLAV SABO,
DAVID E. PRICE,
JOSÉ E. SERRANO,
LUCILLE ROYBAL-ALLARD,
MARION BERRY,
ALAN B. MOLLOHAN,

Managers on the Part of the House.

THAD COCHRAN,
TED STEVENS,
ARLEN SPECTER,
PETE V. DOMENICI,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
BEN NIGHTHORSE
CAMPBELL,
LARRY CRAIG,
ROBERT C. BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
PATRICK J. LEAHY,
TOM HARKIN,
BARBARA A. MIKULSKI,
HERB KOHL,
PATTY MURRAY,

Managers on the Part of the Senate.

COLTSVILLE STUDY ACT OF 2003

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 233) to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System.

The Clerk read as follows:

S. 233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coltsville Study Act of 2003".

SEC. 2. FINDINGS.

Congress finds that—

(1) Hartford, Connecticut, home to Colt Manufacturing Company (referred to in this Act as "Colt"), played a major role in the Industrial Revolution;

(2) Samuel Colt, founder of Colt, and his wife, Elizabeth Colt, inspired Coltsville, a community in the State of Connecticut that flourished during the Industrial Revolution and included Victorian mansions, an open green area, botanical gardens, and a deer park;

(3) the residence of Samuel and Elizabeth Colt in Hartford, Connecticut, known as "Armsmear", is a national historic landmark, and the distinctive Colt factory is a prominent feature of the Hartford, Connecticut, skyline;

(4) the Colt legacy is not only about firearms, but also about industrial innovation and the development of technology that would change the way of life in the United States, including—

(A) the development of telegraph technology; and

(B) advancements in jet engine technology by Francis Pratt and Amos Whitney, who served as apprentices at Colt;

(5) Coltsville—

(A) set the standard for excellence during the Industrial Revolution; and

(B) continues to prove significant—

(i) as a place in which people of the United States can learn about that important period in history; and

(ii) by reason of the close proximity of Coltsville to the Mark Twain House, Trinity College, Old North Cemetery, and many historic homesteads and architecturally renowned buildings;

(6) in 1998, the National Park Service conducted a special resource reconnaissance study of the Connecticut River Valley to evaluate the significance of precision manufacturing sites; and

(7) the report on the study stated that—

(A) no other region of the United States contains an equal concentration of resources relating to the precision manufacturing theme that began with firearms production;

(B) properties relating to precision manufacturing encompass more than merely factories; and

(C) further study, which should be undertaken, may recommend inclusion of churches and other social institutions.

SEC. 3. STUDY.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary of the Interior (referred to in this Act as the "Secretary") shall complete a study of the site in the State of Connecticut commonly known as "Coltsville" to evaluate—

(1) the national significance of the site and surrounding area;

(2) the suitability and feasibility of designating the site and surrounding area as a unit of the National Park System; and

(3) the importance of the site to the history of precision manufacturing.

(b) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with Public Law 91-383 (16 U.S.C. 1a-1 et seq.).

SEC. 4. REPORT.

Not later than 30 days after the date on which the study under section 3(a) is completed, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings of the study; and

(2) any conclusions and recommendations of the Secretary.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 233, introduced by Senator DODD of Connecticut and passed by the Senate earlier this year, would authorize the Secretary of Interior to conduct a suitability and feasibility study of the Coltsville site, an area within the city of Hartford, Connecticut, for the potential inclusion in the National Park System.

The Coltsville site, founded by Samuel Colt, flourished during the industrial revolution, spurring innovation in not only the production of firearms, but also with the development of technology. S. 233 is supported by the ad-

ministration, as well as the majority and minority of the subcommittee. I urge my colleagues to support S. 233.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 233 is a Senate companion legislation to a bill, H.R. 437, introduced by the gentleman from Connecticut (Mr. LARSON), which would authorize a study of the Coltsville historic district in Connecticut. This district is located in the city of Hartford. The site, which is associated with the historically significant Colt Manufacturing Company, contains a notable number of historic resources that provide an important glimpse into the history of American industry and precision manufacturing.

At the April 8 subcommittee hearing on the House bill, the National Park Service and public witnesses testified in favor of the study. The legislation also has the support of the entire Connecticut delegation.

Mr. Speaker, I want to commend the work of the House sponsor, the gentleman from Connecticut (Mr. LARSON), on this measure. He has been a strong and effective advocate of the Coltsville community and the city of Hartford. It is our hope and intention that the study will provide Congress and the community with information on how to appropriately preserve and interpret the historic resources of the Coltsville community.

Mr. Speaker, I support the legislation and urge its adoption.

Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. LARSON), the sponsor of this legislation.

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her kind words. I would also like to thank the gentleman from Arizona (Mr. RENZI) for his remarks. I thank as well the gentleman from California (Chairman POMBO) and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for their consideration of this legislation, and the gentleman from California (Mr. RADANOVICH) for his help in assisting bringing this important legislation to the floor.

I would be remiss not to mention, as the gentlewoman did, the involvement of the entire Connecticut delegation, with special thanks to United States Senators DODD and LIEBERMAN, the gentlewoman from Connecticut (Ms. DELAURO), the gentlewoman from Connecticut (Mrs. JOHNSON), the gentleman from Connecticut (Mr. SHAYS), and the gentleman from Connecticut (Mr. SIMMONS) for their tireless efforts as well.

A hearing was conducted on this back in April with the National Park Service testifying in favor of this study going forward. We have also, as was noted by the gentlewoman, received

numerous support from State and local public officials, the State's oldest continuous published newspaper, and many civic groups, neighborhood groups, the Connecticut Historical Society and others who support this wholeheartedly.

The historical significance is paramount. This actually was the seat of the industrial revolution. Connecticut has long been known as being an arsenal for democracy dating back to our Revolution, and Samuel Colt is known most famously for the Colt 45 and the gun that won the West. What is not known in history is the effort of Elizabeth Colt.

Samuel Colt died at a very young age, and it was Elizabeth Colt who for 42 years managed this business and made it the most successful precision manufacturing business in the world at the time. It was the business to which Henry Ford came to study. It was the business in which both Pratt and Whitney were interns, and later were the pioneers of manufacturing Pratt & Whitney aircraft engines. It was here that people came to look at precision manufacturing; but Elizabeth Colt, who would have been among the Fortune top 10 at the time, did not even have the right to vote.

The gentlewoman from California (Ms. PELOSI) has talked frequently about how she was able to break through the glass ceiling and become the first to make history. Well not only did Elizabeth Colt make history, she also made a difference, as I know our leader will as well. In doing so, Elizabeth Colt was able to focus on housing concerns in the region, she was able to focus on the need to bring in assurances to help out workers in the workplace, and so she became a study not only in terms of precision manufacturing, but how to build a community around an industrial base.

It is for this reason and at the dawn of our industrial revolution, and the fact that this was the first American overseas factory, that this community enterprise of State government and the private sector is worthy of this study and, as indicated, was unanimously passed by both the Senate and by the respective committee and subcommittee in this body. I urge its support today, and thank all of those for their kind words and help in bringing this to fruition. It is an outstanding achievement for the city of Hartford and the citizens of Coltsville, and a great step forward for America in recognizing the genius of Samuel Colt and the long-overdue recognition of Elizabeth Colt.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Connecticut (Mr. LARSON) for the rich history and the articulation he shared with us today. It is truly a fitting tribute to the Colt family.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 233.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the nine bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

ROBERTO CLEMENTE WALKER POST OFFICE BUILDING

Mr. MURPHY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2826) to designate the facility of the United States Postal Service located at 1000 Avenida Sanchez Osorio in Carolina, Puerto Rico, as the "Roberto Clemente Walker Post Office Building".

The Clerk read as follows:

H.R. 2826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROBERTO CLEMENTE WALKER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1000 Avenida Sanchez Osorio in Carolina, Puerto Rico, shall be known and designated as the "Roberto Clemente Walker Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Roberto Clemente Walker Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY).

GENERAL LEAVE

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2826, introduced by the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ) designates the U.S. Postal Service facility in Carolina, Puerto Rico, as the Roberto Clemente Walker Post Office Building. Roberto

Clemente was one of baseball's greatest heroes, both when he commanded the right fields of baseball stadiums across America, and when he was so giving of his time, energy and resources off the field. Naming this post office in Carolina, his hometown, is a wonderful tribute to a man all of us ought to never forget.

This legislation is particularly relevant to my constituents and myself because of Roberto Clemente's great years with the Pittsburgh Pirates. He played all of his 18 major league seasons in Pittsburgh, slugging 240 home runs and exactly 3,000 hits. Clemente remains the Pirates' all-time leader in at-bats and hits. Along with his hitting prowess, Pittsburghers and Pirate fans everywhere remember his cannon of an arm. Number 21 finished his career with 266 assists from the outfield, and won 12 Gold Gloves.

And at a time when we may confuse the meaning of hero, he truly fits the definition, showing sacrifice and courage and giving of himself to help others. Beyond the baseball field, Roberto Clemente took seriously his role as a community leader. He was known for his work to bring better lives to disadvantaged children all over the world. And tragically, it was his charitable conduct that led to his death. After relief supplies had failed to be sent to Nicaragua immediately following a devastating earthquake in December 1972, Clemente wanted to see to it himself that essential provisions were delivered. Roberto loaded 16,000 pounds of supplies into a DC-7 aircraft and set off for Nicaragua. The plane, apparently overloaded, crashed just off the coast of his native Puerto Rico on New Year's Eve.

Major league baseball honored Roberto Clemente the very next summer by inducting him into Baseball's Hall of Fame. He was the first player ever from Latin America to become a Hall of Famer; and today, Major League Baseball's annual Man of the Year Award is named in Roberto Clemente's honor.

□ 1600

After Clemente's death, his eldest son, Roberto, Jr., sought to continue his father's benevolent legacy; and in 1993 he established the Roberto Clemente Foundation, which provides educational and recreational programs for disadvantaged youth in the Pittsburgh area. I want to commend all those involved in the work of the Roberto Clemente Foundation today.

Roberto Clemente once said, "I want to be remembered as a ball player who gave all he had to give." Off the field, perhaps more than on, today we remember Roberto Clemente as just that, a man who gave all he had to give.

Therefore, Mr. Speaker, I urge all Members to support the passage of H.R. 2826 that will name this post office after Roberto Clemente, number 21. I thank the gentleman from Puerto Rico for his work on this fitting honor for a

baseball great and a great humanitarian.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2826 would designate the facility of the United States Postal Service located at 1000 Avenida Sanchez Osorio in Carolina, Puerto Rico, as the Roberto Clemente Walker Post Office Building. As a member of the House Committee on Government Reform, I am pleased to join my colleague in the consideration of H.R. 2826, which designates a U.S. postal facility in Puerto Rico after Roberto Clemente Walker. H.R. 2826 was introduced by the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ) on July 23, 2003.

Roberto Clemente Walker was born in Barrio San Anton in Carolina, Puerto Rico, in 1934. A top athlete from his early years where he excelled in track and field, he went on to play amateur baseball in Puerto Rico. From there he signed with the Brooklyn Dodgers, playing for the Montreal Royals. He later joined the Pittsburgh Pirates baseball team as the number one draft pick in 1954. He played 18 years, his entire major league career, with the Pirates.

During his career with the Pirates, Roberto Clemente played in two World Series, he was the National League batting champion four times, was awarded 12 Gold Gloves, and selected National League Most Valuable Player. Roberto Clemente Walker could do it all, and he did.

He was also a very caring man. He was the father of three sons, Roberto, Jr.; Luis Roberto; and Roberto Enrique, and the husband of Vera Cristina Zabala. Sadly, he died in a plane crash in 1972 delivering food, clothes, and medical supplies to an earthquake-stricken Nicaragua.

Mr. Speaker, while we often honor athletes for their great athletic ability, for the number of home runs that they hit, for how fast they can run, how well they can catch, how many touchdowns they may have thrown or how many they may have caught, Roberto Clemente died demonstrating that when you give of yourself, when you give of yourself for others, that is when you truly give. That is really what makes you great. Roberto Clemente died proving that if he could help somebody as he passed along, if he could cheer somebody with a word of song, if he could give his life for the benefit of others, that is the real stuff that heroes are made of. That is really what made Roberto Clemente the hero that we all know him to be.

I commend my colleague for seeking to honor this great American, this great humanitarian, this great man. I urge passage of this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ), the author of this legislation.

Mr. ACEVEDO-VILÁ. Mr. Speaker, today is a very important day for Puerto Ricans, for fans of baseball, and for humanitarians alike who value the legacy of Roberto Clemente, one of the greatest ball players of all time. It gives me great pride to recognize Roberto Clemente's successful career, both on the field as a baseball player and off it as a humanitarian, by naming a post office after him in his native town of Carolina, Puerto Rico.

Roberto had rare talent that combined all the essential elements of a great baseball player. He had a powerful bat, speed, graceful fielding, and an especially amazing arm. But perhaps the most important characteristics about Roberto Clemente for Puerto Ricans and for Americans include his character, integrity, humility, and commitment to excellence both on and off the field.

Between 1955 and 1972, Roberto Clemente batted 9,454 times in the major leagues, scored 1,416 runs, 3,000 hits, the first Puerto Rican to reach that mark; 240 home runs and batted in 1,305 runs in 2,433 games. Also, Roberto won four National League batting titles, 1961, 1964, 1965 and 1967; had a .317 lifetime batting average; and was selected 12 times to the Midsummer Classic, the All-Star game.

Roberto also participated in two World Series, won the National League Most Valuable Player award in 1966, and became the first Puerto Rican to win such an award. He also won 12 Gold Gloves as a right fielder; and was selected, and I remember that one, in 1971 the World Series Most Valuable Player. Also, Roberto Clemente has been the only Latin American to appear in two First Class stamps.

Puerto Ricans remember Roberto Clemente with great pride, for he not only made the most of his athletic talents, he was also a role model for us all, helping those in need and giving back to the community what he earned through his hard work and dedication. In a day when we often cringe at the scandals involving some of our greatest athletes, we can remember Roberto Clemente for all the great things he embodied.

Last December 31, 2002, we commemorated the 30th anniversary of his tragic death. Roberto died on New Year's Eve while delivering aid to the victims of a major earthquake that hit Nicaragua in 1972. I was 10 years old, and I clearly remember that New Year's Day in Puerto Rico the reaction, a holiday that is supposed to be a celebration, New Year's Day was a day of great, great sorrow for the people of Puerto Rico when we all learned about what had just happened to Roberto. Even though his family urged him not to do the trip because of foul weather, Roberto was determined to help the victims. Unfortunately, the plane suffered a tragic accident; and Roberto and the whole crew perished in the incident.

H.R. 2826 will honor Roberto's legacy by naming his hometown post office in

his honor. This legislation will serve much-deserved recognition to Roberto Clemente. It is for our fallen star, his family, and for all his fans in Puerto Rico, Pennsylvania, and throughout the world. We will never ever forget what he brought to both the baseball field and to our society.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself the balance of my time.

Again, I would like to commend the gentleman from Puerto Rico for introducing this legislation. In my community, there is a Roberto Clemente High School that we revere as one of the great institutions in the city of Chicago. I certainly would urge passage of this legislation naming a post office for a tremendous athlete, but more than that for a great humanitarian and a great citizen.

Mr. Speaker, I yield back the balance of my time.

Mr. MURPHY. Mr. Speaker, I yield myself the balance of my time.

I am just reminded of one other thing. When Roberto Clemente hit his 3,000th hit, as he reached the base, he stood there and raised his hat to the fans. It is fitting for a man who gave his life helping others that we raise our hats to him. I urge all Members to support the passage of this measure that honors Roberto Clemente.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 2826.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

J.C. LEWIS, JR. POST OFFICE BUILDING

Mr. MURPHY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2533) to designate the facility of the United States Postal Service located at 10701 Abercorn Street in Savannah, Georgia, as the "J.C. Lewis, Jr. Post Office Building".

The Clerk read as follows:

H.R. 2533

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. J.C. LEWIS, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 10701 Abercorn Street in Savannah, Georgia, shall be known and designated as the "J.C. Lewis, Jr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the J.C. Lewis, Jr. Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Pennsylvania (Mr. MURPHY) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY).

GENERAL LEAVE

Mr. MURPHY. Mr. Speaker, I ask that all Members have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia (Mr. KINGSTON), the sponsor of this legislation.

Mr. KINGSTON. Mr. Speaker, I wanted to start out saying that there is a statement, I cannot quite get it right, but it states to the effect that men who have monuments built after them to honor them do not need monuments built after them to honor them because their achievements speak for themselves. Nothing could be truer for Mr. J.C. Lewis, Jr. His achievements have touched and reached thousands of lives in Savannah, Georgia, the State of Georgia, and the United States of America. He is truly a renaissance man, a modern day Cincinnatus, who goes and leads his community time and time again in cause after cause and then returns to his own business life or quietly takes a step offstage to avoid the applause.

In fact, the bill today, Mr. Speaker, would not be here if the family had their wish; but I have known the Lewis family for some time, and I know the sons well enough to speak frankly, and I have told them despite their opposition because they do not really seek the limelight under any circumstances, to a person in the family, I said, we need to do this for your dad. I figured that forgiveness was easier than permission, and waiting around for the permission of any Lewis to give them honor will keep one waiting for a long, long time. So we are moving forward.

When I spoke to the gentleman from Georgia (Mr. BURNS) about this, whose district contains this post office, he absolutely jumped up and down about it because the gentleman from Georgia (Mr. BURNS) knew of Mr. Lewis long before committing himself to run for the United States Congress. And so we are proud to offer this legislation as partners. It basically names this post office after Mr. J.C. Lewis, Jr., not sufficient enough in terms of an honor to a guy who has done so much for our community; and yet in another way it is a token, just one way of saying thanks not just to Mr. Lewis but to his wife, Nancy, and to the six children, Nan, Curtie, Walter, Wistar, Scott, and Christian. I hope I named six of them. It is a big family. I know they will kill me if I left out one of them.

Mr. BURNS. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Georgia.

Mr. BURNS. Mr. Speaker, I thank the distinguished gentleman for yielding. I join with the gentleman from Georgia (Mr. KINGSTON) and the entire Georgia delegation in honoring J.C. Lewis, Jr., by the naming of the post office on Abercorn Street in the 12th District of Georgia. As the gentleman from Georgia (Mr. KINGSTON) pointed out, Mr. Lewis seeks no recognition. A humble man, a servant of our community for decades, he was born in Savannah, Georgia; and throughout his life he has served Savannah and the low country and the rest of our State, his community, his country, and his God. He went to public schools in Chatham County and attended and graduated from the University of Georgia with honors. J.C. Lewis, Jr. is a true Bulldog. He later received the school's outstanding award as an alum. I am sure that was one of the proudest moments in his life.

After his university education, he acknowledged his patriotic duty. He served in the United States Navy. He continued to remain devoted to the U.S. military in his actions. One of the most significant things that he has done for our community is serve as chairman of the Mighty Eighth Air Force Museum. He has also served as president of the Association of the United States Army and is a member of the Navy League.

□ 1615

After his education he returned to his childhood home in Savannah and, with his wife, Nancy Nelson Lewis, and their children, made it his home and his dream and his passion. He became the first Republican Governor in Georgia since reconstruction when he was elected as mayor of the city of Savannah. He is a successful businessman, serving as President and CEO of J.C. Lewis Enterprises. He is a devoted family man, a member and deacon of the First Baptist Church of Savannah.

But I think probably most notably that when most other Americans Mr. Lewis's age were retiring, he was just getting started. He was concerned about the rising problem of homelessness in the city of Savannah. He approached the Board of the Union Mission in 1985, nearly 20 years ago. He then purchased and donated facilities that provide for the care of both homeless men and women, and shelters are located there. He also funded a cancer program for the homeless, the J.C. Lewis Health Center, and he serves continuously as the honorary chairman of Union Mission's capital campaign as they seek in their mission to end homelessness in the city of Savannah, Georgia.

Throughout his life, J.C. Lewis has been a physically and personally devoted individual to helping and serving mankind, and I join the gentleman from Georgia (Mr. KINGSTON) and the rest of the Georgia delegation in supporting H.R. 2533 as just a very small way that we can thank Mr. Lewis for

his service to Savannah, Georgia and to the 12th District.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Government Reform, I am pleased to join with my colleagues in consideration of H.R. 2533, which designates a U.S. postal facility in Savannah, Georgia after J.C. Lewis, Jr. H.R. 2533 was introduced by the gentleman from Georgia (Mr. KINGSTON) on June 19, 2003. Mr. Lewis, the former mayor of Savannah, Georgia, serves on many charitable and community-oriented boards. A given and committed man, he financed the building site for the Savannah Baptist Center, which serves as a recreational and education center in town. He is best known for his work with Union Mission to end homelessness in Savannah. He purchased and donated the Union Mission's main office building and helped to renovate the facility so that needed and necessary health care services could be provided to those in dire straits. Mr. Lewis is currently the honorary chair of Union Mission's capital campaign.

Mr. Speaker, oftentimes individuals are involved and help raise money and generate money, not always do they give as much of their own money as Mr. Lewis seemingly does. So, Mr. Speaker, I commend the gentleman from Georgia (Mr. KINGSTON) for seeking to honor such an individual, and I urge swift passage of this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MURPHY. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time. And I also want to thank the gentleman from Illinois (Mr. DAVIS) for those kind words about a very important local hero, but I think one who shows what kind of country we have and why this country is so great.

The gentleman from Georgia (Mr. BURNS) had enumerated so many of J.C. Lewis's accomplishments, but I wanted to go over a couple of them, just maybe from a personal standpoint.

I first got to know the Lewis family through my father-in-law, Archie Morris, who was a boyhood friend of his. And my mother-in-law, Betty Morris, has been friends with Mrs. Lewis, and the Morris kids and the Lewis kids were all friends. In fact, I think my first encounter with one of them was with Wistar Lewis when he was riding a horse down the street, down Milledge Avenue in Athens, Georgia for one of his Kappa Alpha fraternity parades and they were going by the Lambda Chi House, which I was a member of. And I was proud to see that my fraternity brothers spooked his horse and caused his date to fall off the horse in hopes

that she would join us as far better bulldogs than that fraternity. Wistar never let me forget that, and I was really surprised when I started dating my wife, Libby, and the Lewis family was known for having a big Christmas party on Christmas night in Savannah, and they invited me through the Morrisises to come to it, and I thought I do not know why they would want me to come. They hardly know me. But I realized I was riding the coattails of my future in-laws. But that is the kind of people they are. Opening up the doors on Christmas Day for people to come, strangers and mere acquaintances, to come in and enjoy their fellowship.

The gentleman from Georgia (Mr. BURNS) had spoken about Mr. Lewis being in the Merchant Marines, in the Coast Guard, and the Navy. He also did not know that from there he went on to have a lot of fun fishing and had a boat at one point called the NAUTINAN, and I think in time the children sort of took over. Certainly, Scott and Wistar became the big mariners in the family, but I think all of them enjoyed it. In fact, I think that webbed-feet tradition continues and his son Curtie, actually, I was counting his boats this summer, and he has four of them. I do not know how one would utilize all those, but the Lewises absolutely loved the waterfront and living in Savannah, Georgia, on the water.

The gentleman from Georgia (Mr. BURNS) had pointed out that he has been active in the First Baptist Church and on the board of deacons and the trustees. He has also been very active in our Wednesday Businessmen's Bible study with a Presbyterian minister, Terry Johnson, who is in charge of it, but Mr. LEWIS and son Scott and son Christian are very active and stalwarts in that Bible study. And what happens every Wednesday is they try to drill the Gospel message into the thick skulls of business people such as myself and a lot of our friends. But to see people like that, each and every Wednesday, devoting time to the Lord is very instrumental for the rest of us.

The gentleman from Georgia (Mr. BURNS) talked about when J.C. Lewis was mayor of Savannah and pointed out that he was the first Republican mayor of Savannah, a major Georgia city, but one of the things that is interesting, from that point on, he did somewhat become the godfather of the Republican Party in Savannah in as much as anybody who ran under the Republican ticket always went by to see J.C. Lewis. But rather than assume the role of local political Republican kingmaker, he took a much broader approach.

Number one, he would not just see aspiring Republican candidates. Democrats, or Independents, the door was wide open. And he never said this is the strategy for winning, so that I can grow my kingdom and my influence and my clout. It was always, What do you stand for, and what is best for

Chatham County, Georgia? What is best for Savannah, Georgia? How are we going to make this a better community? So whether one's name is Jack Kingston, Max Burns, Saxby Chambliss, or anybody else, Sonny Perdue, he always tried to do what was best for the State or the community or the country and never would call them. Once they were elected, he would never say, I want you to vote on House bill whatever. He has never made such a call to me to ask me to vote for anything. And I can tell the Members how rare that is, and we have 435 Members of Congress who would certainly agree to that.

As a businessman, Mr. Lewis lost his father at a young age, and he took over an automobile business, which probably the easiest thing would have been to sell it, but instead he grew it. It became one of the largest Ford dealerships in coastal Georgia. But, in addition, he added broadcasting and equipment leasing and real estate and insurance.

For example, they have had a television station, WJCL, which is an ABC affiliate. They also had WJCL for many years on the radio, which had some of those great classic tunes that we all enjoyed from the swing era. It kind of always put a little class and a little taste in the city of Savannah airwaves.

Charitable donations, an incredible list of them. He gave land to the YMCA on Habersham Street; for the Agudath Achim Congregation Synagogue; for Memorial Baptist Church; land for Virginia Heard Public School; land for the Episcopal Church in Oakdale, Georgia; land and building for the Skidaway Island Baptist Church; land and building for the Savannah Baptist Center; and funded the new Cancer Program at the J.C. Lewis Health Center.

The Gospel tells us that to those whom much has been given, much is expected. Mr. Lewis has followed that line. He also has been a Free and Accepted Mason and the past potentate of the Alee Temple Shrine, and part of the creed of Masons is somewhat to look after each other, and I have heard many Masons who do not know Mr. Lewis personally say Mr. Lewis is a Mason who looks after his brother Masons and looks after the community in general.

A friend of mine, a formal liberal, which I cannot tell if he is still a liberal anymore or not. He still tells me he is a Democrat, but Reverend Michael Elliott, whom the gentleman from Georgia (Mr. BURNS) and I deal with on homeless issues, he and I were talking over the weekend, and I told him what we were doing with this legislation, that we were sneaking out something on Mr. Lewis and hoped he would forgive us. He said, he is the guy that I have had the opportunity to have this homeless shelter built, because of his generosity, because of his leadership, and the fact he has opened so many doors for me and getting other businessmen to see them.

When we think about all the down and out people in the world that have benefitted from the generosity and the leadership of Mr. Lewis, there again, we do not know who is always benefiting. In the Gospel there is a part where followers of John the Baptist asked him, Are you the Messiah? And he says to them, No, I am not the Messiah. I have come to prepare a place for Him, and I am not even worthy to pick up the breadcrumbs from his table. That, Mr. Speaker, is so important because often when we do things for others, we do not know who is going to benefit, and indeed, when we receive these blessings, we do not know who caused these blessings to happen. That is the case with Mr. Lewis on everything that he has done.

Civic responsibilities, and I know this is just voluminous, but I want to name a few. He has been active on the Board of the Kiwanis Club; on the Bethesda Home for Boys, on the Board of Directors; the Georgia Baptist Children's Home; Woodberry Forest School Board of Trustees; the President of the YMCA; the Chamber of Commerce Board of Directors; the United Community Appeal or United Way; Savannah Country Day School, Board of Directors; Association of the United States Army, President, Coastal Empire Chapter; the Elks Club, Lodge 183; American Legion, Post 184; the Navy League; Salvation Army as an Honorary Director. The gentleman from Georgia (Mr. BURNS) mentioned the Mighty Eighth Air Force Museum Foundation; and many more. And I think one of the more important things, recently, was he was the sponsor of the Isle of Hope Mudcats baseball team in the U12 League last year and probably will be doing it again.

His awards, the gentleman from Georgia (Mr. BURNS) had mentioned some of these: A Brotherhood Award from Agudath Achim Synagogue, the President's Award from Savannah State College, Outstanding Alumni Award from the University of Georgia; Union Mission, Golden Heart Award; Community Service Award from the Georgia Municipal Association; Department of Army Award for patriotic civilian service while serving as President of the AUSA, Coastal Empire Chapter; Salvation Army, "Others" Award; Savannah Exchange Club, Golden Deeds Award; the Rotary Club, Paul Harris Fellow, which one of the big motives of the Rotary Club is service above self, which I think, again, he epitomizes; the Oglethorpe Leadership Award; a two-time recipient of the Ben Franklin Quality Dealer Award sponsored by Time Magazine; and also an inductee in the Savannah Business Hall of Fame. And I want to say this on behalf of the local Chatham County Republican Party, we name our annual award in his honor, the J.C. Lewis Award.

Mr. Speaker, it is not often when people like this are born, and with Mr. Lewis, it is a family unit. If we know

him, we know his family, and we know they are all in it together. They have made Savannah and Georgia and the United States of America and the world a better place to live. So I am very honored to be a cosponsor with the gentleman from Georgia (Mr. BURNS) on this piece of legislation.

Mr. MURPHY. Mr. Speaker, I urge all Members to support this resolution which honors J.C. Lewis, Jr, a man truly worthy of our commendation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 2533.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1630

RECESS

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PENCE) at 6 o'clock and 31 minutes p.m.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 2657, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2004

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider the conference report to accompany the bill (H.R. 2657) making appropriations for the legislative branch for the fiscal year ending September 30, 2004, and for other purposes; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 2004(b), and the order of

the House of January 8, 2003, the Chair announces the Speaker's appointment of the following Member of the House to the Board of Trustees of the Harry S Truman Scholarship Foundation:

Mr. SKELTON of Missouri.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2003.

Honorable J. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 22, 2003 at 2:55 p.m. and said to contain a message from the President whereby he submits a national interest waiver consistent with section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246).

With best wishes, I am

Sincerely,

JEFF TRANDAH
(Clerk of the House).

WAIVING SUSPENSIONS UNDER FOREIGN RELATIONS AUTHORIZATION ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108-128)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Consistent with the authority vested in me by section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246) (the "Act"), and as President of the United States, I hereby report to the Congress that it is in the national interest of the United States to waive the suspensions under section 902(a) of the Act with respect to the issuance of licenses for QSR-11 sensors that serve as components of an Inertial Measurement Unit (IMU) used in commercial aircraft and spare IMU for such aircraft. License requirements remain in place for these exports.

GEORGE W. BUSH.
THE WHITE HOUSE, September 20, 2003.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the previous order of the House, proceedings will resume on the three motions to instruct postponed on Wednesday, September 17, 2003, and on motions to suspend the rules postponed earlier today.

Votes will be taken in the following order:

Motion to instruct on H.R. 1308, by the yeas and nays; motion to instruct on H.R. 1, by the yeas and nays; motion to instruct on H.R. 1588, by the yeas and nays; H.R. 1409, by the yeas and nays; and S. 111, de novo.

The first electronic vote will be conducted as a 15-minute vote. If a vote is ordered on S. 111, that vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Ohio (Mr. RYAN) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 199, nays 214, not voting 21, as follows:

[Roll No. 509]

YEAS—199

Abercrombie	Edwards	Lipinski
Ackerman	Ehlers	Lofgren
Alexander	Emanuel	Lowey
Allen	Engel	Lucas (KY)
Andrews	Eshoo	Lynch
Baca	Etheridge	Majette
Baird	Evans	Maloney
Baldwin	Farr	Markey
Becerra	Filner	Marshall
Bell	Ford	Matheson
Bereuter	Frank (MA)	Matsui
Berkley	Frost	McCarthy (MO)
Berman	Gonzalez	McCarthy (NY)
Berry	Green (TX)	McCollum
Bishop (GA)	Grijalva	McDermott
Bishop (NY)	Gutierrez	McGovern
Blumenauer	Hall	McIntyre
Boswell	Harman	McNulty
Boucher	Hastings (FL)	Meehan
Boyd	Hill	Meek (FL)
Brady (PA)	Hinchey	Meeks (NY)
Brown (OH)	Hinojosa	Menendez
Brown, Corrine	Hoeffel	Michaud
Capps	Holden	Millender-
Capuano	Holt	McDonald
Cardin	Honda	Miller (NC)
Cardoza	Hooley (OR)	Miller, George
Carson (IN)	Hoyer	Mollohan
Carson (OK)	Inslee	Moore
Case	Jackson (IL)	Moran (VA)
Clay	Jackson-Lee	Murtha
Clyburn	(TX)	Nadler
Conyers	Jefferson	Napolitano
Cooper	John	Neal (MA)
Costello	Johnson, E. B.	Oberstar
Cramer	Jones (OH)	Obey
Crowley	Kanjorski	Olver
Cummings	Kaptur	Ortiz
Davis (AL)	Kennedy (RI)	Owens
Davis (CA)	Kildee	Pallone
Davis (FL)	Kilpatrick	Pascarell
Davis (IL)	Kind	Pelosi
Davis (TN)	Kleczka	Peterson (MN)
DeFazio	Kucinich	Pomeroy
DeGette	Lampson	Price (NC)
Delahunt	Langevin	Rahall
DeLauro	Lantos	Rangel
Dicks	Larsen (WA)	Reyes
Dingell	Larson (CT)	Rodriguez
Doggett	Leach	Ross
Dooley (CA)	Lee	Rothman
Doyle	Levin	Roybal-Allard

Rush
Ryan (OH)
Sabó
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter

Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)

Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wu
Wynn

NAYS—214

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Billirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)

NOT VOTING—21

Ballance
Carter
Davis, Jo Ann
Deutsch
Fattah
Gephardt
Gordon

Hensarling
Houghton
Hunter
Israel
Lewis (GA)
Osborne
Pastor

Nussle
Gibbons
Gilchrest
Gillmor
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Soudier
Stearns
Sullivan
Taubin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberti
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

□ 1857

Mr. OXLEY and Mr. PETERSON of Pennsylvania changed their vote from “yea” to “nay.”

Mr. GEORGE MILLER of California changed his vote from “nay” to “yea.” So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. PENCE). Pursuant to clause 8 of rule XX, the next three votes in this series will be conducted as 5-minute votes. The last vote in this series, if ordered, will be conducted as a 15-minute vote.

MOTION TO INSTRUCT CONFEREES
ON H.R. 1, MEDICARE PRESCRIPTION
DRUG AND MODERNIZA-
TION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Texas (Mr. STENHOLM) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 202, nays 213, not voting 19, as follows:

[Roll No. 510]

YEAS—202

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite,
Ginny
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)

Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLahunt
DeLauro
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Fletcher
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer

McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pelosi
Peterson (MN)
Pomeroy

Price (NC)
Rahall
Rangel
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabó
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis

Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Wu
Wynn

NAYS—213

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Billirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly

Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney

Northup
Norwood
Nunes
Nussle
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Soudier
Stearns
Sullivan
Tancred
Taubin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberti
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller

Whitfield Wilson (SC) Young (AK)
Wicker Wolf Young (FL)

NOT VOTING—19

Ballance Hensarling Payne
Carter Houghton Ruppertsberger
Davis, Jo Ann Hunter Sweeney
Deutsch Israel Terry
Fattah Lewis (GA) Woolsey
Gephardt Osborne
Gordon Pastor

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PENCE) (during the vote). There are 2 minutes remaining in this vote.

□ 1906

Mr. GUTKNECHT changed his vote from “yea” to “nay.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, on rollcall No. 509 (H.R. 1308) and rollcall No. 510 (H.R. 1), I was detained in my district touring disaster areas from Hurricane Isabel and trying to obtain help from FEMA. Had I been present I would have voted “no” on both H.R. 1308 (rollcall 509) and H.R. 1 (rollcall 510).

MOTION TO INSTRUCT CONFEREES ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1588.

The Clerk will designate the motion.
The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Texas (Mr. RODRIGUEZ) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 298, nays 118, not voting 18, as follows:

[Roll No. 511]

YEAS—298

Abercrombie	Boucher	Davis (AL)
Ackerman	Boyd	Davis (CA)
Aderholt	Bradley (NH)	Davis (FL)
Alexander	Brady (PA)	Davis (IL)
Allen	Brown (OH)	Davis (TN)
Andrews	Brown, Corrine	Davis, Jo Ann
Baca	Burton (IN)	Davis, Tom
Bachus	Buyer	DeFazio
Baird	Capito	DeGette
Baker	Capps	Delahunt
Baldwin	Capuano	DeLauro
Bartlett (MD)	Cardin	Diaz-Balart, L.
Bass	Cardoza	Diaz-Balart, M.
Beauprez	Carson (IN)	Dicks
Becerra	Carson (OK)	Dingell
Bell	Case	Doggett
Berkley	Castle	Dooley (CA)
Berman	Clay	Doyle
Berry	Clyburn	Dreier
Biggert	Cole	Dunn
Bishop (GA)	Conyers	Edwards
Bishop (NY)	Cooper	Ehlers
Blumenauer	Costello	Emanuel
Boehrlert	Cramer	Engel
Bonilla	Crenshaw	English
Bonner	Crowley	Eshoo
Boswell	Cummings	Etheridge

Evans	Levin	Rodriguez	Linder	Pitts	Smith (TX)
Everett	Lewis (KY)	Rogers (AL)	Lucas (OK)	Platts	Souder
Farr	Lipinski	Ros-Lehtinen	Manzullo	Pombo	Stearns
Ferguson	LoBiondo	Ross	McKeon	Ramstad	Tancred
Filner	LoFgren	Rothman	Mica	Rehberg	Taylor (NC)
Fletcher	Lowe	Roybal-Allard	Miller (FL)	Reynolds	Thomas
Foley	Lucas (KY)	Rush	Miller, Gary	Rogers (KY)	Thornberry
Ford	Lynch	Ryan (OH)	Moran (KS)	Rogers (MI)	Tiahrt
Frank (MA)	Majette	Ryan (WI)	Musgrave	Rohrabacher	Toomey
Frelinghuysen	Maloney	Ryun (KS)	Nethercutt	Royce	Upton
Frost	Markey	Sabo	Neugebauer	Sensenbrenner	Vitter
Gerlach	Marshall	Sanchez, Linda	Northup	Sessions	Wamp
Gilchrest	Matheson	T.	Norwood	Shade	Weldon (FL)
Gillmor	Matsui	Sanchez, Loretta	Nussle	Sherwood	Wicker
Gingrey	McCarthy (MO)	Sanders	Ose	Shimkus	Wilson (SC)
Gonzalez	McCarthy (NY)	Sandlin	Oxley	Shuster	Young (FL)
Granger	McCollum	Saxton	Pence	Smith (MI)	
Green (TX)	McCotter	Schakowsky			
Greenwood	McCrery	Schiff			
Grijalva	McDermott	Schrock			
Gutierrez	McGovern	Scott (GA)			
Hall	McHugh	Scott (VA)			
Harman	McInnis	Serrano			
Hastings (FL)	McIntyre	Shaw			
Hayworth	McNulty	Shays			
Hefley	Meehan	Sherman			
Hill	Meek (FL)	Simmons			
Hinche	Meeks (NY)	Simpson			
Hinojosa	Menendez	Skelton			
Hobson	Michaud	Slaughter			
Hoefel	Millender-	Smith (NJ)			
Holden	McDonald	Smith (WA)			
Holt	Miller (MI)	Snyder			
Honda	Miller (NC)	Solis			
Hoolley (OR)	Miller, George	Spratt			
Hoyer	Mollohan	Stark			
Hulshof	Moore	Stenholm			
Inslee	Moran (VA)	Strickland			
Jackson (IL)	Murphy	Stupak			
Jackson-Lee	Murtha	Sullivan			
(TX)	Myrick	Tanner			
Janklow	Nadler	Tauscher			
Jefferson	Napolitano	Tauzin			
John	Neal (MA)	Taylor (MS)			
Johnson (CT)	Ney	Thompson (CA)			
Johnson (IL)	Nunes	Thompson (MS)			
Johnson, E. B.	Oberstar	Tiberi			
Jones (NC)	Obey	Tierney			
Jones (OH)	Olver	Towns			
Kanjorski	Ortiz	Turner (OH)			
Kaptur	Otter	Turner (TX)			
Keller	Owens	Udall (CO)			
Kelly	Pallone	Udall (NM)			
Kennedy (MN)	Pascrell	Van Hollen			
Kennedy (RI)	Paul	Velazquez			
Kildee	Pearce	Visclosky			
Kilpatrick	Pelosi	Walden (OR)			
Kind	Peterson (MN)	Walsh			
King (NY)	Peterson (PA)	Walters			
Kirk	Petri	Watson			
Klecza	Pickering	Watt			
Kline	Pomeroy	Waxman			
Kolbe	Porter	Weiner			
Kucinich	Portman	Weldon (PA)			
LaHood	Price (NC)	Weller			
Lampson	Pryce (OH)	Wexler			
Langevin	Putnam	Whitfield			
Lantos	Quinn	Wilson (NM)			
Larsen (WA)	Radanovich	Wolf			
Larson (CT)	Rahall	Wu			
Latham	Rangel	Wynn			
LaTourette	Regula	Young (AK)			
Leach	Renzi				
Lee	Reyes				

NAYS—118

Akin	Chabot	Goode
Ballenger	Chocola	Goodlatte
Barrett (SC)	Coble	Goss
Barton (TX)	Collins	Graves
Bereuter	Cox	Green (WI)
Bilirakis	Crane	Gutknecht
Bishop (UT)	Cubin	Harris
Blackburn	Culberson	Hart
Blunt	Cunningham	Hastings (WA)
Boehner	Deal (GA)	Hayes
Bono	DeLay	Herger
Boozman	DeMint	Hoekstra
Brady (TX)	Doolittle	Hostettler
Brown (SC)	Duncan	Hyde
Brown-Waite,	Emerson	Isakson
Ginny	Feeney	Issa
Burgess	Flake	Istook
Burns	Forbes	Jenkins
Burr	Fossella	Johnson, Sam
Calvert	Franks (AZ)	King (IA)
Camp	Gallely	Kingston
Cannon	Garrett (NJ)	Knollenberg
Cantor	Gibbons	Lewis (CA)

Pitts	Smith (TX)
Platts	Souder
Pombo	Stearns
Ramstad	Tancred
Rehberg	Taylor (NC)
Reynolds	Thomas
Rogers (KY)	Thornberry
Rogers (MI)	Tiahrt
Rohrabacher	Toomey
Royce	Upton
Sensenbrenner	Vitter
Sessions	Wamp
Shade	Weldon (FL)
Sherwood	Wicker
Shimkus	Wilson (SC)
Shuster	Young (FL)
Smith (MI)	

NOT VOTING—18

Ballance	Hensarling	Pastor
Carter	Houghton	Payne
Deutsch	Hunter	Ruppertsberger
Fattah	Israel	Sweeney
Gephardt	Lewis (GA)	Terry
Gordon	Osborne	Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1915

Mr. HULSHOF, Mr. EVERETT, and Mrs. KELLY changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1915

EASTERN BAND OF CHEROKEE INDIANS LAND EXCHANGE ACT OF 2002

The SPEAKER pro tempore (Mr. PENCE). The pending business is the question of suspending the rules and passing the bill, H.R. 1409.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1409, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 288, nays 127, not voting 19, as follows:

[Roll No. 512]

YEAS—288

Abercrombie	Blunt	Camp
Aderholt	Boehrlert	Cannon
Akin	Boehner	Cantor
Alexander	Bonilla	Capito
Baca	Bonner	Capuano
Bachus	Bono	Cardoza
Baker	Boozman	Carson (IN)
Ballenger	Boswell	Carson (OK)
Barrett (SC)	Boucher	Case
Bartlett (MD)	Bradley (NH)	Castle
Barton (TX)	Brady (TX)	Chabot
Bass	Brown (SC)	Chocola
Beauprez	Brown, Corrine	Clay
Becerra	Brown-Waite,	Coble
Bereuter	Ginny	Cole
Biggert	Burgess	Collins
Bilirakis	Burns	Conyers
Bishop (NY)	Burr	Cox
Bishop (UT)	Burton (IN)	Cramer
Blackburn	Buyer	Crane
Blumenauer	Calvert	Crenshaw

Cubin	John	Pomeroy
Culberson	Johnson (CT)	Porter
Cummings	Johnson (IL)	Portman
Cunningham	Johnson, E. B.	Price (NC)
Davis (AL)	Johnson, Sam	Pryce (OH)
Davis (TN)	Jones (NC)	Putnam
Davis, Jo Ann	Keller	Quinn
Davis, Tom	Kennedy (MN)	Radanovich
Deal (GA)	Kennedy (RI)	Ramstad
DeLay	Kildee	Rangel
DeMint	Kind	Regula
Diaz-Balart, L.	King (IA)	Rehberg
Diaz-Balart, M.	King (NY)	Renzi
Dicks	Kingston	Reyes
Dingell	Kirk	Reynolds
Dooley (CA)	Kline	Rogers (AL)
Doolittle	Knollenberg	Rogers (KY)
Dreier	Kolbe	Rogers (MI)
Dunn	LaHood	Rohrabacher
Edwards	Larsen (WA)	Ros-Lehtinen
Ehlers	Larson (CT)	Royce
Emerson	Latham	Ryan (WI)
English	LaTourette	Ryun (KS)
Etheridge	Leach	Sanchez, Linda
Everett	Levin	T.
Feeney	Lewis (CA)	Sandlin
Ferguson	Lewis (KY)	Saxton
Flake	Linder	Schakowsky
Fletcher	LoBiondo	Schrock
Foley	Lucas (OK)	Scott (GA)
Forbes	Maloney	Sensenbrenner
Ford	Manzullo	Sessions
Fossella	Marshall	Shadegg
Frank (MA)	Matheson	Shaw
Franks (AZ)	Matsui	Sherwood
Frelinghuysen	McCarthy (NY)	Shinkus
Frost	McCotter	Shuster
Gallegly	McCrery	Simmons
Garrett (NJ)	McHugh	Simpson
Gerlach	McInnis	Smith (NJ)
Gibbons	McIntyre	Smith (TX)
Gilchrest	McKeon	Smith (WA)
Gillmor	Meehan	Souder
Gingrey	Meek (FL)	Stearns
Gonzalez	Meeks (NY)	Stenholm
Goode	Mica	Stupak
Goodlatte	Miller (FL)	Sullivan
Goss	Miller (MI)	Tancred
Granger	Miller (NC)	Tauzin
Graves	Miller, Gary	Taylor (MS)
Green (TX)	Moran (KS)	Taylor (NC)
Green (WI)	Moran (VA)	Thomas
Greenwood	Murphy	Thornberry
Gutknecht	Musgrave	Tiahrt
Hall	Myrick	Tiberi
Harris	Neal (MA)	Toomey
Hart	Nethercutt	Turner (OH)
Hastings (WA)	Neugebauer	Turner (TX)
Hayes	Ney	Upton
Hayworth	Northup	Vitter
Hefley	Norwood	Walden (OR)
Herger	Nunes	Walsh
Hobson	Nussle	Wamp
Hoekstra	Olver	Waters
Honda	Ose	Watson
Hostettler	Oxley	Watt
Hulshof	Pallone	Weldon (FL)
Hyde	Paul	Weldon (PA)
Isakson	Pearce	Weller
Issa	Pence	Whitfield
Istook	Peterson (PA)	Wicker
Jackson-Lee	Petri	Wilson (NM)
(TX)	Pickering	Wilson (SC)
Janklow	Pitts	Wolf
Jefferson	Platts	Young (AK)
Jenkins	Pombo	Young (FL)

NAYS—127

Ackerman	Davis (IL)	Hoeffel
Allen	DeFazio	Holden
Andrews	DeGette	Holt
Baird	Delahunt	Hooley (OR)
Baldwin	DeLauro	Hoyer
Bell	Doggett	Inslee
Berkley	Doyle	Jackson (IL)
Berman	Duncan	Jones (OH)
Berry	Emanuel	Kanjorski
Bishop (GA)	Engel	Kaptur
Boyd	Eshoo	Kelly
Brady (PA)	Evans	Kilpatrick
Brown (OH)	Farr	Klecza
Capps	Filner	Kucinich
Cardin	Grijalva	Lampson
Clyburn	Gutierrez	Langevin
Cooper	Harman	Lantos
Costello	Hastings (FL)	Lee
Crowley	Hill	Lipinski
Davis (CA)	Hinchey	Lofgren
Davis (FL)	Hinojosa	Lowey

Lucas (KY)	Owens	Snyder
Lynch	Pascarell	Solis
Majette	Pelosi	Spratt
Markey	Peterson (MN)	Stark
McCarthy (MO)	Rahall	Strickland
McCollum	Rodriguez	Tanner
McDermott	Ross	Tauscher
McGovern	Rothman	Thompson (CA)
McNulty	Roybal-Allard	Thompson (MS)
Menendez	Rush	Tierney
Michaud	Ryan (OH)	Towns
Millender	Sabo	Udall (CO)
McDonald	Sanchez, Loretta	Udall (NM)
Miller, George	Sanders	Van Hollen
Mollohan	Schiff	Velazquez
Moore	Scott (VA)	Visclosky
Murtha	Serrano	Waxman
Nadler	Shays	Weiner
Napolitano	Sherman	Wexler
Oberstar	Skelton	Wu
Obey	Slughter	Wynn
Ortiz	Smith (MI)	

NOT VOTING—19

Ballance	Houghton	Payne
Carter	Hunter	Ruppersberger
Deutsch	Israel	Sweeney
Fattah	Lewis (GA)	Terry
Gephardt	Osborne	Woolsey
Gordon	Otter	
Hensarling	Pastor	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1924

Messrs. MOLLOHAN, SPRATT and SHERMAN changed their vote from "yea" to "nay."

Mr. MEEKS of New York changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ISRAEL. Mr. Speaker, early tonight when the House voted on the Ryan Motion to Instruct on H.R. 1308, rollcall No. 509, the Stenholm Motion to Instruct on H.R. 1, rollcall No. 510, the Rodriguez Motion to Instruct on H.R. 1588, rollcall No. 511, and passage of H.R. 1409, rollcall No. 512, I was not present. Unfortunately, I was compelled to miss these votes due to a long-standing meeting with Prime Minister Silvio Berlusconi of Italy. Had I been present I would have voted "yes" on rollcall Nos. 509 through 511, "no" on rollcall No. 512.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall votes No. 509, No. 510, No. 511, and No. 512. Had I been present, I would have voted "yea" on rollcall No. 509, "yea" on rollcall No. 510, "yea" on rollcall No. 511, and "no" on rollcall No. 512.

DIRECTING SECRETARY OF INTERIOR TO CONDUCT STUDY TO DETERMINE NATIONAL SIGNIFICANCE OF MIAMI CIRCLE IN FLORIDA AND OF ITS INCLUSION IN NATIONAL PARK SYSTEM AS PART OF BISCAYNE NATIONAL PARK

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 111.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. KIND. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003.

The form of the motion is as follows:

Mr. KIND moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed as follows:

(1) The House recede to the Senate on the provisions to guarantee access to prescription drug coverage under section 1860D-13(e) of the Social Security Act, as added by section 101(a) of the Senate amendment.

(2) To reject the provisions of section 501 of the House bill.

(3) The House recede to the Senate on the following provisions of the Senate amendment to improve rural health care:

(A) Section 403 (relating to inpatient hospital adjustment for low volume hospitals).

(B) Section 404 (relating to medicare disproportionate share adjustment for rural areas), but with the effective date applicable under section 401(b) of the House bill.

(C) Section 404A (relating to MedPAC report on medicare disproportionate share hospital adjustment payments).

(D) The following provisions of section 405 (relating to critical access hospital improvements):

(i) Subsection (a), but with the effective date applicable under section 405(f)(4) of the House bill.

(ii) Subsection (b), but with the effective date applicable under section 405(c)(2) of the House bill.

(iii) Subsections (e), (f), and (g).

(E) Section 414 (relating to rural community hospital demonstration program).

(F) Section 415 (relating to critical access hospital improvement demonstration program).

(G) Section 417 (relating to treatment of certain entities for purposes of payment under the medicare program).

(H) Section 420 (relating to conforming changes relating to Federally qualified health centers).

(I) Section 420A (relating to increase for hospitals with disproportionate indigent care revenues).

(J) Section 421 (relating to establishment of floor on geographic adjustments of payments for physicians' services).

(K) Section 425 (relating to temporary increase for ground ambulance services), but with the effective date applicable under the amendment made by section 410(2) of the House bill.

(L) Section 426 (relating to appropriate coverage of air ambulance services under ambulance fee schedule).

(M) Section 427 (relating to treatment of certain clinical diagnostic laboratory tests furnished by a sole community hospital).

(N) Section 428 (relating to improvement in rural health clinic reimbursement).

(O) Section 444 (relating to GAO study of geographic differences in payments for physicians' services).

(P) Section 450C (relating to authorization of reimbursement for all medicare part B services furnished by Indian hospitals and clinics).

(Q) Section 452 (relating to limitation on reduction in area wage adjustment factors under the prospective payment system for home health services).

(R) Section 455 (relating to MedPAC study on medicare payments and efficiencies in the health care system).

(S) Section 459 (relating to increase in medicare payment for certain home health services).

(T) Section 601 (Increase in medicaid DSH allotments for fiscal years 2004 and 2005).

(4) The House insist upon the following provisions of the House bill:

(A) Section 402 (relating to immediate establishment of uniform standardized amount in rural and small urban areas).

(B) Section 403 (relating to establishment of essential rural hospital classification).

(C) Subsections (a), (b), (d), and (e) of section 405 (relating to improvements to critical access hospital program).

(D) Section 416 (relating to revision of labor-related share of hospital inpatient pps wage index).

(E) Section 417 (relating to medicare incentive payment program improvements).

(F) Section 504 (relating to wage index classification reform).

(G) Section 601 (relating to revision of up dates for physician services).

(H) Section 1001 (relating to medicaid disproportionate share hospital (DSH) payments).

□ 1930

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Mr. CROWLEY. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1588, the defense authorization bill.

The form of the motion is as follows:

Mr. CROWLEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1588 be instructed to agree to the provisions contained in paragraphs (3) and (4) of section 1074a(f) of title 10, United States Code, as proposed to be added by section 701 of the Senate amendment (relating to health care for members of reserve components).

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, and

under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING JUDGE A. JAY CRISTOL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to share the story of a man who is far more than ordinary, a man who has achieved more than some do in three lifetimes, always compassionate, caring and loving to the community to which he belongs.

Today I am proud to honor Judge A. Jay Cristol, an astonishing man and native of Miami who remains vital, curious, and energetic. This pious man, who is dedicated to his country, put off law school to ultimately earn his distinguished Navy Wings of Gold. Judge Cristol braved active duty as an aircraft carrier combat pilot during the Korean Conflict, in addition to flying operational flights during the Cuban missile crisis. His commitment to our Nation was also seen in his volunteering to perform airlift missions to Vietnam, his affirmation being, "I am proud to be an American and I love my country."

Judge Cristol, who was later made an honorary professor of the Naval Justice School, was assigned by the Department of Defense to lecture abroad concerning law of naval warfare. After retiring from the Navy in 1988 and dutifully practicing law for 25 years, Judge Cristol was appointed to the bench of the U.S. bankruptcy court where he continues to serve in Florida's Southern District. If that were not enough, it is noteworthy to state that Judge Cristol is also an adjunct professor at the University School of Law.

Always positive and with a smile on his face, Jay's inquisitiveness for international terrorism led him right into the university's graduate school of international studies. Interested in naval history, he began to research the 1967 incident with the USS *Liberty* where Israeli air and naval forces erroneously engaged the ship in international waters off the Sinai Peninsula. His meticulous analysis formed the basis for his book, "The Liberty Incident," and earned him his Ph.D. His studies and his experience in the field have made him a sought-after scholar, appearing on national broadcasts such as CNN's "Late Edition with Wolf Blitzer."

Mr. Speaker, what more could be said about the man who refused to see Pan Am Airlines shattered and who told the owners to "kick the tires, light the fires and get those planes in the air," or the man who donates his aircraft and his time to perform angel flights, bringing children in need of medical aid who are in difficult-to-reach areas.

In his humility, Judge Cristol attributes everything simply to being lucky and always believing that we

have to make peace for mankind, love instead of hate, as there we find the promise of a better humankind.

Indeed, it is an honor to speak of a man who pioneered in all of his endeavors and who continues to motivate others to do as well. Judge A. Jay Cristol is a brilliant, concerned individual who has put ripples in time with his profound dedication to a Nation that deserves him well.

Congratulations, Judge Cristol.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE CLEAR ACT OF 2003

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, earlier this month was a very somber time for our Nation, in fact, for all freedom-loving people. It was 2 years ago this month that America and the world watched in horror as terrorist thugs took the lives of an estimated 3,000 innocent people on American soil. Our worst fears were realized, our very way of life was challenged, and our world was changed on that day, perhaps forever. In the days, weeks, months, and now years that have followed, our Nation has responded to that challenge. In the war on terrorism that ensued and continues today, we have led the free world in rooting out these terrorist thugs and in holding accountable those who would harbor and aid them in their insidious pursuits. The challenge and cost has been great, but the stakes are even greater. This is a war we simply cannot afford to lose.

Still, Mr. Speaker, for all we have done and all we are doing at home and abroad to secure our homeland, there is a troubling and growing crisis within our borders that has been largely ignored and presents another challenge in securing our homeland that simply must be met. It is a crisis that has created countless innocent victims and that continues to put our Nation's citizens and law enforcement officers in greater and unnecessary danger with each passing day it is not addressed.

Mr. Speaker, the crisis I am referring to is America's criminal alien crisis. The sad fact is our own badly broken immigration system has created this very crisis; and the numbers, quite frankly, are staggering and shocking. First, consider the staggering. Today, there are roughly 400,000 individuals living in the United States who have received their final deportation orders to go, but have not left. Why have they not left? It is pretty simple. It is because our Federal Government does not know where they are. Now for the truly

shocking. Of the 400,000 individuals that should have been deported, 80,000 of those are criminal aliens, meaning that they have been charged and convicted of committing criminal acts, some of which include the most heinous and atrocious deeds one can possibly imagine. Yet these 80,000 convicted criminals, rapists, murderers, pedophiles and the like among them, who were in the hands of law enforcement officials, were simply turned loose because of an outmanned, inefficient, and unaccountable immigration system that is failing both the law-abiding citizens of our Nation who live here legally and peacefully and the courageous, hardworking men and women who wear the badge who protect us who must face the prospects of arresting and rearresting these criminals over and over again.

Mr. Speaker, it is also worth noting, again looking back at earlier this month's somber anniversary, that an estimated 3,800 of these individuals are from countries with a known presence of al Qaeda. Unfortunately, America's criminal alien crisis has been allowed to continue and worsen because our Federal Government and this Congress are not serious about addressing it. Today there are only 2,000 Federal agents who have the job of finding any of the 400,000 I mentioned earlier. Mr. Speaker, that is not a fair fight, and it is not the right message to send to the American people.

Recently, along with the gentleman from Florida (Mr. BOYD), the gentlewoman from Pennsylvania (Ms. HART), and the gentleman from Georgia (Mr. DEAL), I introduced the CLEAR Act. This is a bill that makes clear that our Nation's 600,000 local and State law enforcement officers have the authority to enforce immigration laws, gives those 600,000 men and women wearing the badge the training, access to data and appropriate funding they deserve, and gives the 2,000 Federal agents in the field the assistance they so badly need.

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And that, finally, provides the needed accountability that our immigration system has lacked for far too long.

Mr. Speaker, I encourage my colleagues to join me in sending a strong message that this Congress is serious about protecting Americans from this crisis within our own borders, and I encourage my colleagues to support the CLEAR Act.

OPPOSITION TO CUTS IN LOAN GUARANTEES TO ISRAEL

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this evening to express my concern regarding reports that President Bush has already approved cuts in loan guar-

antees to Israel and is considering further cuts. Last week I spoke on the House floor regarding a decision by the Bush administration to cut loan guarantees to oppose Israeli settlements in the West Bank and Gaza. As I stated last week, I oppose any cuts in loan guarantees. These guarantees allow Israel to rebuild after years of violence and economic decline and are critical to Israel's future.

I am further disturbed by reports that the Bush administration is considering additional cuts in loan guarantees to protest Israel's construction of a security fence along the West Bank.

Mr. Speaker, on a recent trip to Israel in August along with, I think, 29 other Democratic Members, I had the opportunity to view the security fence firsthand. While in Jerusalem, I toured border communities where Israeli citizens live in constant fear of sniper attacks and suicide bombings. This fence will provide a sense of safety and security to these border families and will help prevent continued attempts to derail the peace process through violence.

In my meetings with government officials in Jerusalem, they acknowledged that the fences are temporary and can be moved or removed pending future peace agreements. Furthermore, Prime Minister Ariel Sharon has shown that he is willing to work with the United States and has sent a diplomatic delegation here to continue discussions on the fence. However, until the Palestinian Authority dismantles the terrorist infrastructure, Israel must be permitted to take steps to protect their citizens from violence without financial retribution from the United States.

Mr. Speaker, I just think this is the wrong decision by the Bush administration. That is why today I sent a letter to President Bush to urge him to reverse his decision to restrict loan guarantees to Israel and to reconsider any future restrictions. With the continued rise in violence, now is not the time to take punitive action against the Israeli Government. It is critical to our role in the region that the United States maintains its steadfast support of Israel and not undercut Israel's military and diplomatic authority or, most important, their ability to protect their citizens from harm and terrorism.

PURCHASE CARD AND TRAVEL CARD ACCOUNTABILITY ACT OF 2003

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, today's Washington Waste Watch highlights the vast amount of waste, fraud, and abuse throughout the government purchase card and travel card programs. Mr. Speaker, such waste steals from the hard-working taxpayers in order to line the pockets of some career bureaucrats

who seek to profit from the obviously broken system.

Mr. Speaker, Americans should and would be outraged at the consistent abuse of their tax dollars within the purchase card and travel card program. These cards are paid for by the taxpayers, and they are supposed to be used, obviously, for official government business. However, Mr. Speaker, I think taxpayers would be horrified and outraged of the fact that these cards have purchased, among other things, Elvis Presley pictures, vacations and cruises, designer leather goods, Internet pornography, power tools and toys, music, designer clothing, luggage, fine china, jewelry, escort services, electronics, and televisions and even a pet dog. And yet our friends on the other side of the aisle, the Democrats, insist still on sometimes introducing bills to raise taxes to do more of this, Mr. Speaker?

If this abuse, Mr. Speaker, happened within the private sector, these individuals would clearly get thrown out of their jobs and in many cases would be turned over to law enforcement agencies. But when it is the taxpayers who are paying for it, when it is the taxpayers who are footing the bill, these people do not lose their jobs. They just stay in their careers. Many times they get their annual pay increases. Very few of these employees, Mr. Speaker, are ever appropriately disciplined for this improper use of purchase cards and travel cards.

Therefore, Mr. Speaker, I will introduce the Purchase Card and Travel Card Accountability Act of 2003, which will create a uniform system of accountability for all Federal agencies. This system will include repayment to the Federal agencies by those who have used those cards incorrectly. It would also, furthermore, ask the inspector general to report regularly to Congress on disciplinary actions taken against employees for abuse of purchase cards and travel cards, and, yes, it will also create a uniform system of accountability for all Federal agencies, which will include termination.

Only, Mr. Speaker, in the Federal Government, a place where billions of dollars, billions of dollars, are just lost every year, can people go shopping with a card that the taxpayer pays for on things, as I said, for china and designer leather products, \$163,000, for example, worth of designer leather goods and a billiard table, and nothing happens. And, again, the Democrats want to raise taxes to do more of this?

Mr. Speaker, for too long the bureaucracy have been given free rein to do what they want with taxpayers' money with no accountability. That is why we are filing this bill, Mr. Speaker. Purchase cards provide a great avenue to continue this waste. The American taxpayers deserve better. They should not support irresponsible spending. They do not support it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEBT RELIEF FOR IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 2482, the Iraqi Freedom from Debt Act, but first I would like to respond to the gentleman's statement that Democrats want to raise taxes. That is not true. The Kerry-Biden bill calls for a repeal of only the top 1 percent. This would result in \$600 billion, and this would pay for the \$87 billion for the challenge in Iraq. Some Democrats support that. I am one of those, but I disagree with the statement from the gentleman who preceded me.

Mr. Speaker, I rise really in support of one of the administration's spokesmen, Mr. Paul Bremer, and he said that it would be a mistake to lay any more debt onto the backs of the Iraqi people, and he wisely added that there would be no way that the Government of Iraq will be able to pay Iraq's current debt. Mr. Bremer estimates that Iraq owes over \$100 billion to other nations as a result of Saddam Hussein's irresponsible borrowing, and how can we expect Iraq to begin paying on this debt when the challenges of funding reconstruction are so steep? The Financial Times reported: "Even assuming a resumption of oil exports at 2 million barrels a day, Iraq's debt-to-export ratio would exceed 700 percent, the highest in the world. Clearly, Iraq cannot rebuild its economy, establish conditions for growth and development and," also, "service all its outstanding debt."

It is impossible to imagine that the people of Iraq will be able to reconstruct a future if they are forced to pay for their own oppression by paying back odious debt accrued by this regime for his 34 palaces and other expenses that helped his immediate family and circle and not the people of Iraq.

We learned from World War II reconstruction that the most effective way to ensure regional security and facilitate a friendship with the people of a once-hostile nation was to provide debt cancellation and new aid for reconstruction. We learned this lesson the hard way after World War I when Hitler campaigned for his election on a platform that included working towards the cancellation of the debts Germany accrued during reconstruction after the First World War. The allies did not want to repeat that mistake after World War II, and let us learn from this history and provide the same support to Iraq by urging for creditors to cancel Iraq's debt.

The International Monetary Fund and the World Bank are priority creditors, creditors that will be paid first, and leaders in the creditor community. It is our responsibility as key stakeholders at the World Bank and IMF to encourage these institutions to take the first step for debt cancellation for Iraq. The IMF and World Bank are owed relatively little by Iraq, only about \$150 million. So while it would not be a burden on the institutions, because \$150 million to these organizations is not a lot of money, this act of generosity could leverage reduction of the debt of Iraq by other creditors.

The IMF and World Bank are meeting at this moment in Dubai discussing Iraq and the debt of the most impoverished countries in the world. Join me in calling on these institutions to take action on Iraq's debt by cosponsoring H.R. 2482, the Iraqi Freedom from Debt Act. It is a bipartisan legislation that I introduced with the gentleman from Iowa (Mr. LEACH), and it states that the U.S. should work within the IMF and World Bank to encourage the institutions to reduce debts owed by Iraq. It also contains a "Sense of Congress" urging countries around the world to reduce debt. Without reducing Iraq's debt, our investment of aid and loans in Iraq will simply be recycled into debt service payment to other creditors.

When Ambassador Bremer spoke before this Congress, he supported this legislation and this effort, and when I joined with the gentleman from Virginia (Mr. TOM DAVIS) in Iraq, visiting Baghdad and Tikrit and Mosul, we met with Ambassador Kennedy, his deputy. He likewise supported this legislation as a step in the right direction.

In order to rebuild Iraq, we must forgive this debt, most of which is odious, for purposes that did not help the Iraqi people. So I urge my colleagues to cosponsor the Iraqi Freedom from Debt Act and work towards rebuilding Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

QUESTIONS CONCERNING THE WAR WITH IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, recently Senator EDWARD KENNEDY of Massachusetts took the floor of the other body and made the observation that the stated reasons of the President for going to war in Iraq were a fraud, that the war in Iraq had nothing to do with the war on terrorism and certainly nothing to do with the specific attack

on the United States of September 11. Rather, his observation was that the President's reasons for going to war in Iraq were political, and partisan political reasons at that.

Senator KENNEDY's observations were correct and courageous. Since September 11, for almost 2 years, the President has inferred that there was a direct relationship between the attack on the United States by the al Qaeda network of September 11, 2001, and the Government of Iraq; that there was a direct connection between those two. Just recently the President had to admit that there was no evidence whatsoever associating either Saddam Hussein or the Government of Iraq in any way with the attack on our country of September 11.

The President has alleged that the other reason for going to war in Iraq was that Iraq possessed substantial so-called weapons of mass destruction, chemical and biological weapons. He made that statement repeatedly, and that statement was made also by Secretary Rumsfeld and Vice President CHENEY. In fact, statements were made at certain points that they knew precisely where those so-called weapons of mass destruction were located and that they could find them very easily. That, too, has proven not to be an accurate statement.

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The reasons that we have gone to war in Iraq have nothing to do with terrorism, nothing to do with the attack on the United States of September 11 and nothing to do with the presence of so-called weapons of mass destruction. They have not been found.

The administration has got to answer a basic question: Why? Why did we engage in a preventive war against another sovereign country? Why have more than 200 Americans lost their lives? Why have more than 70 Americans lost their lives since the President declared victory in Iraq? And why, because of the destruction that was caused in that war, are we now about to spend in the neighborhood of \$200 billion or more for the rehabilitation and reconstruction of that country?

The President most recently has asked this body for \$87 billion. That expenditure would have been unnecessary had this war not taken place.

So there is much that this administration has to answer for, and the American people, and specifically their representatives in this body, have the profound obligation to answer those questions.

If the leadership of this House was discharging its responsibilities, it would begin a series of hearings to get to the bottom of the rationale behind the administration's actions in Iraq. Why was this preventive war engaged in, and why have we lost so many lives? Why have so many Iraqis been killed? And why are we spending so much of our treasure in Iraq, when our needs here at home are so substantial

and significant and those needs are not being addressed?

These are serious questions, they need to be asked, and that is one of our most important duties as Members of the House of Representatives, to raise these questions. Why is the leadership of this House not raising these questions? Why are we not engaged in those hearings? Why are we not trying to get to the bottom of this matter? That is the responsibility of the people who operate this House of Representatives.

I call upon the leadership to engage in a concerted and directed effort to find the answer to this question: Why did we go to war? Why did we engage in this so-called preventive war, when the President now has admitted there was no connection between September 11 and the government in Iraq, when no so-called weapons of mass destruction have been found. Therefore, the stated reasons of the administration for engaging in this war have been shown to have absolutely no legitimacy, yet the costs of this action are substantial, in human life and in treasure. We must get to the bottom of this.

THE COST OF THE WAR IN IRAQ

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, it has been a year since the President began pressing to invade Iraq. At the time, many of us pressed the President to fully account for the cost of his planned war. Most Americans would agree that if the issue of Iraq was important enough to start a war over, it was important enough to pay for.

For a year, Congress has asked for hard numbers on the cost of occupying and rebuilding Iraq, and for a year the President has given us nothing but blandishments and pie-in-the-sky forecasts. At the time, experts, including the President's own chief economist, predicted the war and reconstruction would cost as much as \$200 billion. But the President and his aides actively downplayed those numbers, saying it would only cost around \$50 billion.

Well, guess what? Last week the President finally admitted that he had low-balled the cost of the war when selling it to Congress a year ago. The President is now asking for an additional \$87 billion, billion with a B, to extricate our troops from what is beginning to look like a quagmire.

Let me be perfectly clear: The current situation in Iraq should not have come as any surprise to anyone in this administration or in this Congress. Last fall, the Chief of Staff of the United States Army, General Eric Shinseki, told Congress that it would require close to 300,000 troops to secure Iraq after toppling Saddam. Today, only about half that number are in Iraq. As the toll of American soldiers killed in the occupation of Iraq rises,

our young men and women in uniform are paying the price of trying to wage war on the cheap.

I was just reading a news report referring to a young man from Micronesia, Hilario Bermanis, II, and how he was injured in Iraq. He has lost an eye, an arm and both legs. He is being honored by being made an American citizen. And a few weeks earlier, the proposal was made to reduce veterans' services. I cannot understand that.

This additional \$87 billion comes on top of the \$78.5 billion Congress gave the President just 5 months ago, bringing the grand total so far to \$165 billion, and we would cut the cost of veterans' services.

If that sounds like a lot of money, hold on to your hat for this piece of information: A recent analysis by the Committee on the Budget shows that the entire cost for rebuilding Iraq could rise to as much as \$400 billion over the next 5 years.

Now, this new \$87 billion alone is a big number by itself. That is a number most people will never encounter at any point in their lives. So it is important to put these numbers into context.

Eighty-seven billion dollars is more than twice what the President requested to protect the United States from the terrorist attack that might come at any time. Eighty-seven billion dollars is about three times what the request was for highway and road construction across the country next year. Eighty-seven billion dollars is about twice the net worth, not annual income, but total net worth of America's wealthiest man, Bill Gates. Eighty-seven billion dollars is almost six times the profits of America's largest corporation, General Electric. Eighty-seven billion dollars is more than \$300 for every man, woman and child in the United States of America. That is a lot of money to spend on a country halfway around the world, when our local schools, hospitals, fire and police departments are struggling to make ends meet.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. WYNN) is recognized for 5 minutes.

(Mr. WYNN addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

TRIBUTE TO JOHN H. JOHNSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, America is indeed a land blessed with many treasures and foremost among them are people. Some countries, for example, such as Japan, have formal programs to honor citizens which they classify as "national treasures." We have no such formal program, but I take this opportunity to acknowledge such an individual.

This evening I want to highlight one of America's great national treasures who lives in my district, John H. Johnson.

John H. Johnson was born, a descendant of slaves, to extremely modest circumstances in Arkansas City, Arkansas, in 1918. John's father died when he was very young. His mother, Gertrude Johnson Williams, worked as a domestic and levee cook.

It was a time when Jim Crow law defined life in the South. Arkansas schools did not permit African Americans admittance to high school and, under normal conditions of the day, John Johnson's education would have ended with the eighth grade. However, Gertrude Johnson would not accept normal circumstances, and moved with her family to Chicago in 1933.

John enrolled at DuSable High School and became an honor student, class president, student council president and editor of the school newspaper and the yearbook. He taught himself public speaking by standing in front of a mirror at home. Among his classmates at DuSable were Nat King Cole, Redd Foxx and William Abernathy.

He won a scholarship to attend the University of Chicago at night while working for the Supreme Liberty Life Insurance Company, owned by African American businessman Harry Pace. His job at Supreme Liberty came as a result of his public speaking talent after Pace heard him speak at an Urban League event.

One of his tasks at Supreme was the collection and organization of news of the African American community into a weekly digest. The black press of the day, such as the Chicago Defender and the Pittsburgh Courier, was a kind of national nerve system, transmitting information to every corner of every community where African Americans lived.

John appreciated the value of the news he was collecting and, in 1942, he launched his first magazine, Negro Digest. The \$500 he used as seed money for his new venture came from his mother, who pawned their furniture. The first issue sold 3,000 copies. Within one year, circulation hit 50,000.

By 1945, he launched his second magazine, Ebony, which highlighted the achievements of African Americans. Six years later he began publishing a news magazine of African American politics, entertainment, business and sports: Jet.

Today, Johnson Publishing is headquartered in an 11-story building, located at 820 South Michigan Avenue in Chicago's Loop. The last time I looked, Johnson Publishing had annual revenues of some \$425 million and more than 2,000 employees. Ebony now has a readership of more than 11 million, and Jet enjoys a readership in excess of eight million. Together, it is estimated these periodicals are read in half the black households in America.

Today the book division of Johnson Publishing is home to such authors as

Lerone Bennett, Jr. and to such publishing standards as the New Ebony Cookbook. For those who would like to know more about the life and work of John H. Johnson, they also published his autobiography, *Succeeding Against the Odds*.

The Johnson Publishing empire also encompasses Fashion Fair Cosmetics and Supreme Beauty Products, headed by Mrs. Eunice Johnson. The Ebony Fashion Fair is the world's largest traveling fashion show and raises money for scholarships and charities in the United States and Canada.

John H. Johnson has received the Presidential Medal of Freedom, the Spingarn Medal, the Horatio Alger Award, the USC Journalism Alumni Association Distinguished Achievement Award, the Black Journalists' Lifetime Achievement Award and countless other awards and recognitions.

Awards are nice, but I suspect that Mr. Johnson takes the greatest pleasure in watching as his daughter, Linda Johnson Rice, joins him in managing Johnson Publishing as its president and chief operating officer.

Mr. Speaker, John H. Johnson's dream has profoundly influenced America and its people. We are all impacted for the better by his vision and his implementation of that first of our great freedoms, the freedom of speech and freedom of the press.

On September 26, Howard University will be holding its 136th opening convocation and will celebrate the accomplishments of communications pioneer John H. Johnson. In January, Mr. Johnson made a \$4 million contribution to the School of Communication at Howard, which will be renamed in his honor. Mr. Johnson, a firm believer in education, is a great contributor to the United Negro College Fund and many other charities.

Mr. Speaker, John H. Johnson may truly be said to be one of America's greatest living treasures. I congratulate him and his family for their contributions to America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2555, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-281) on the resolution (H. Res. 374) waiving points of order against the conference report to accompany the bill (H.R. 2555)

making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2557, WATER RESOURCES DEVELOPMENT ACT OF 2003

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-282) on the resolution (H. Res. 375) providing for consideration of the bill (H.R. 2557) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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NOT ALL DOOM AND GLOOM IN IRAQ

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Minnesota (Mr. KENNEDY) is recognized for 60 minutes as the designee of the majority leader.

Mr. KENNEDY of Minnesota. Mr. Speaker, this last Sunday in the Minneapolis Star Tribune on the front page of the opinion section was a picture in Iraq, and above this picture it says, "Look at this picture. What do you see?" And then it lists a couple of counterpoints, including one from myself. If you look at the picture, you see a market in Mosul, and you see some fruits up front, you see some women dressed in clean, neat clothes. You see a market with the shelves full, and you see a U.S. soldier from the 101st Airborne watching over that market and making sure that it stays secure.

Some in this Chamber have expressed doom and gloom as to what they see. As we listen to the articles in the paper and the TV and the radio, too often we hear that saying, doom and gloom. But there is a different picture that I am going to try to, with several of my colleagues, bring out today. Those who have been to Iraq, as I have, and many of my colleagues, have seen a different picture. There are two sides to this story, and I would argue that the story of advancement, of progress, of moving towards a democracy and an open government, an open economy, is the more accurate picture.

I was challenged recently by someone back home in Minnesota who said, Mark, why is not anybody else saying anything positive about Iraq? And my answer would be, well, I am not sure that anybody is reaching beyond some of the press they are getting, because not everybody is going to Iraq, not everybody is looking at other sources.

Mr. Speaker, it was Thomas Jefferson who said that you would be better educated if you read nothing than if you read nothing but papers, newspapers, and that is, unfortunately, the case in this situation.

Mr. Speaker, the press does a better job of reporting crashes than landings. We are certainly having great reporting of the crashes, but the landings and the progress that we have seen, with progress towards quality of life, progress towards getting Iraqis governing themselves, and progress towards more stability, more freedom in a country that is very diverse and has great potential is something that we are going to try to bring out here today.

As I mentioned, I will have several folks joining me, and I would, first of all, like to welcome the gentleman from Georgia (Mr. GINGREY) for some comments that he has.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Minnesota. The gentleman has actually been to Iraq, he has been to Baghdad, and he has seen on the ground many of these things of which we are speaking about tonight. As the gentleman points out, we are not really getting, if you rely just on 24-hour news and the newspapers and coverage, we are not really getting the whole picture, the full picture. I am glad that the gentleman was part of a group that recently was in Iraq who could see for themselves and understand that, as he points out, how much progress is being made.

Mr. Speaker, there is a lot of discussion, of course, about where the weapons of mass destruction are, where is Saddam Hussein, and, of course, we want answers to those questions. But what the public needs to understand is that progress is definitely being made. Nobody denies the existence of Saddam Hussein, and I think we will ultimately find him. But let me just point out a little bit of information that I think is important on this issue.

The Iraq Survey Group is tasked with the search for the weapons of mass destruction. The ISG has between 600 and 800 personnel in Iraq and is headed by former U.N. inspector David Kay. The Iraq Survey Group's highest priority is the hunt for weapons of mass destruction. They have formed quick reaction teams to explore sites indicated by intelligence. The Coalition Provision Authority has actually offered a reward of up to \$25 million for the capture of Saddam Hussein. And, of course, this same type of incentive is what led to the finding and the killing of Uday and Qusay.

So a lot of progress is being made. We have the inspectors on the ground, and we are following up on every lead. This is just one of the things that I wanted to point out, and the gentleman from Minnesota, of course, knows that because he has been there and he has seen it.

Mr. KENNEDY of Minnesota. Mr. Speaker, one of the first things I did

when we landed in Baghdad was I asked the general in charge there, I said, how are things here relative to what we are hearing back home? And he said, with a combination of disgust and disappointment, that it is total distortion. There are so many things that are going on positive here. We in our group saw that. We had a bipartisan group of 11 Members. We went to Mosul, to Tikrit, to Babylon. We drove around in Baghdad, visited the police academy, visited the hospital, met with folks from Iraq who had recently been elected to city councils and to provincial councils, and what we saw was progress in every direction. As we flew over Iraq at night, the lights were on. As we drove through even Baghdad, the markets were up. There were cars and, in fact, traffic jams even in Baghdad as people were getting on with their lives.

As we went up to Mosul, we went in a garden variety tour bus, 11 Members of Congress, through the markets of Mosul, and, for the most part, most of the citizens did not really pay much attention to us. They were just going about their normal life in the progress of rebuilding. We passed by schools and hospitals that were rebuilt.

So having all of the hospitals up and running again and the schools up and running is great progress, and that is something I was very pleased to see. I know the gentleman as a physician can appreciate what we are doing on the health care side, and I think on all of those fronts we are making great progress.

Mr. GINGREY. Mr. Speaker, if the gentleman will yield, yes, and I am so glad the gentleman from Minnesota (Mr. KENNEDY) brought that up, because there are some 240-some hospitals in Iraq, and many of them are being brought back on line, and there is a lot of work that is being done. The gentleman points out the fact that schools are being built, hospitals are being reopened. Much of the infrastructure is markedly improved.

Electricity is an example. I think currently there are 3,200 megawatts of electricity being generated. The prewar level was 4,000. The national demand is estimated to be 6,000, but the Coalition Provision Authority plans to reach 4,000 megawatts by August. Baghdad is receiving, the city of Baghdad, 1,200 megawatts. Prewar levels were 2,500, averaging 3 hours on and 3 hours off each day.

So we are definitely making progress, as the gentleman points out, and not only in the infrastructure, but, as he also mentions, in health care, and in water as well. Much of Iraq is at prewar water level supply levels now. There is no critical shortage of water.

Mr. KENNEDY of Minnesota. Mr. Speaker, I would say the gentleman is absolutely right on all of those counts. One of the reasons that possibly explains why we get such negative press is that Iraq, like America, is a very diverse country, with a lot of different ethnic groups and different regions

throughout the country. And one of those, the Sunni Arabs from which Saddam came, represents about 15 percent or maybe 20 percent of the total population, and that group as a whole received preferential treatment. So as we compare their state today versus where they were before, it is not quite as attractive as the Shiites in the south that were really abused and tortured and done things to that one would not even want to describe in some cases, but some of them as vicious as rerouting the river so that they could not cultivate their crops. Similarly, the Kurds in the north were treated in a like fashion.

There were three electrical grids in Iraq prior to us coming in there, and even today; one electrical grid to make sure that all of Saddam's palaces, his almost 50 palace compounds, were lit up around the country. The second was for the Sunni areas around Baghdad, because Baghdad was a showcase to the world to show the world that "I have a great country here." And the third went to the southern and northern regions if there was any left over. Now today, of course, we are treating everybody equal. So in and around Baghdad, it might not be quite up to their preferential status they received before the war, but in the 80, 85 percent of the rest of the country, they are doing significantly better.

We also have a situation in Baghdad that really is not talked about enough, and that is that 100,000 criminals, we are talking murderers and rapists and thieves, were let out just before the Americans took over, and their records destroyed, so that these criminals are wandering around the city causing untold havoc to the native Iraqis, making it a much riskier environment than it was before, as well as cheap criminals for hire to go after our soldiers. So within Baghdad, it is a much more challenging situation. It is much more difficult. It is much more risky.

Unfortunately, like any capital, that is where most of the press are. But I have to tell my colleagues, when one goes out beyond Baghdad, it is a lot calmer. One does not hear the reports of the attacks on American troops out there. They are working with the natives. They are making great progress. I remember driving down one country road and having several children run down the country driveway to come waving at us and showing their appreciation. And I have talked to many Members, even on the other side of the aisle, who have said one of the things that struck them most was just how appreciative the Iraqis were, particularly outside of Baghdad.

So there is good progress. It is not evenly distributed around the country, but that is because Saddam was not evenly treating people in the fashion that Americans have come to expect.

Mr. GINGREY. Mr. Speaker, I think the gentleman has pointed out something that is very important in regard to the fact that Saddam Hussein, at

the outset of the conflict, just opened the prison doors. I mean, he just literally opened those prison doors and turned all of these bad guys, and when I say bad guys, I am talking about murderers, onto the streets of Baghdad, particularly in the population center. Now, one can just imagine if we did that in this country. In my home State of Georgia, if we just all of a sudden opened that Federal penitentiary in Atlanta and let all of these people out on the street, the number of attacks, assault, battery, assault with a deadly weapon, murder, rape that would occur in the city of Atlanta, and one can understand. One begins to get, I think, a better picture.

But as the gentleman points out, there is not mass chaos in Baghdad. We have, yes, some very difficult things to deal with, as the gentleman from Minnesota (Mr. KENNEDY) points out, Mr. Speaker. But let me give my colleagues this information about security and force protection that we have begun to restructure.

Coalition forces are on the offensive. They are putting constant pressure on the enemy to disrupt some of these attacks. The coalition forces are also deterring attacks with aggressive patrolling, cordons, and raids based on actionable intelligence. I do not think anything is more important than intelligence, and we are beginning to get that.

Currently the Coalition Provisional Authority has actually hired some 32,000 police officers nationwide, and 28,000 are already on the streets. The ultimate goal, by the way, is some 61,000. The police are conducting joint patrols with coalition forces.

So this picture that is being painted of mass chaos and everything on the backs of our brave American fighting force, they are doing a great job; they are doing a great job, but they are not doing it completely on their own. As I point out, we are hiring, we are putting Iraqi security forces on the street, and ultimately they will do the job. They will restore order for their own country.

Mr. KENNEDY of Minnesota. Mr. Speaker, the gentleman from Georgia is very correct. Our soldiers are doing a fabulous job. They are rightly proud of the great work they are doing, and they are not alone. We have long known that the British have had a region of the country around Basra. But while we were there, down in Babylon, also in southern Iraq, they were preparing to turn that region over from the 1st Marine Expeditionary Force, which came in with the initial assault, and turn that over to a Polish-led division, and that has happened.

□ 2030

The Spanish are helping them, and just recently this week the remaining portion around Nasref was handed over to the Spanish, which was with that Polish division. So two of the six regions of the country are already being

administered by our allies, by a group of almost 30 countries that are providing 20, 25,000 troops; but the gentleman is absolutely correct.

The solution here is to have Iraqis protecting Iraqis, and while we were in Baghdad we met with the police academy; and Bernie Kerik, the former police commissioner from the city of New York City, is there on the ground in charge of helping to train these Iraqis. One of the most emotional statements that I heard during my whole trip there was when we were talking to the Iraqi general in charge of the police that are helping to secure Iraq right now.

He says as they come through the academy and they learn about the things that we take for granted here in Minnesota from our great police forces around the country and teach them respect for civilians, not to torture, civilian authority, so many other things to keep us secure and protect our civil liberties as well, he says, When they come, I challenge them to be heroes. He says, When I tell them about what a hero is, a hero is somebody who leaves their family, leaves their wife, leaves their children, leaves their parents, lives their familiarity of home and goes to a strange land, suffer through tremendous heat, tremendous deprivations and puts their life at risk for a stranger.

Hearing from him how appreciative he was for our soldiers, our Marines that are doing that each and every day and how he holds those men and women up as their heroes was a great comfort and a great reassurance to me, but it is not just from the police. We are adding them on the border patrol. We are adding civil defense units to guard units to take our troops out of those regions and have Iraqis protecting Iraq, and we are seeing that.

We had a second unfortunate attempt to bomb the U.N. headquarters in Baghdad; and if we see who it was that unfortunately lost their life in that attempt, it was the bomber himself and an Iraqi policeman that was on guard doing exactly what my colleague was talking about, guarding the treasures of Iraq, guarding their own security and protecting their own citizens. We are moving as fast as we can in that direction. They are taking it on very willingly, and that is a very positive step.

Mr. GINGREY. Mr. Speaker, I am glad the gentleman mentioned about the heroism of our troops and of course some 130,000; and of course, he also pointed out that there are about 25,000 from other countries, indeed some I think the gentleman said maybe 20-or-so other countries, obviously the Brits, the Poles, and that is growing every day; but there is just no question that the commitment of the coalition forces and our own troops is strong.

They know what the mission is; and obviously, loved ones back home, spouses, parents, grandparents, they are concerned. Their youngsters, their

loved ones are in harm's way. Sure, they want them to come back home and they will come back home; but they know what their mission is, just as our men in World War II and the Korean conflict and other wars that we have been engaged in, they are committed and they will stay the course. I just could not be prouder of the job that they are doing there.

Mr. KENNEDY of Minnesota. I could not be prouder either and the gentleman is right. We have 130-or-so thousand, from I think it is up to 30 countries now. It is about 55,000 Iraqis on the job making sure that Iraqis are safe, and that number is growing. I think it is the Czech Republic that stepped forward to train another 25,000-or-so on a police program up in their country and get them more on duty to guard their own country.

One of the other things that is really very gratifying is that our soldiers are working with the people to make the country better; and as they go on these raids that the gentleman spoke of earlier and they are collecting a million dollars here, a hundred million dollars there as part of those raids of money that was stolen from the American people, they are putting it back to work on projects there in Iraq. In fact, there are 6,000 projects that have been completed and these might be cleaning up the school, making it more presentable and safe and a better learning environment, helping with the hospitals. We were in a neonatal institute there in Baghdad. Helping the water be a little bit cleaner, buying a fire engine for the local fire department, buying equipment for the local police department, on and on and on these projects are going on.

My favorite was the 101st Airborne brought 10,000 Screaming Eagle soccer balls for the children to have something to play with, but these are helping to move that forward in an endless number of ways and really making it a better country each day and I think helping to really have a positive working relationship between our brave men and women in uniform and the Iraqi people.

Mr. GINGREY. Mr. Speaker, I wanted to talk a little bit about the cost. Of course, the President is coming to Congress now and asking for a supplemental appropriation to continue the efforts to win this war on terrorism, not only in Iraq and Baghdad but also in Afghanistan and really in the entire world. We hear a lot of discussion obviously about, well, how can we afford 87 additional billion dollars to continue this effort, and I want to just talk to the gentleman a little bit about that and maybe get into a discussion about cost and putting this in its proper perspective.

Obviously, \$87 billion is a big number and the question comes up, we hear it all the time, can the United States afford this war and continue to do everything else the President calls for? The answer is yes, in my opinion. We can-

not afford not to do what is necessary to win the war against terror, ensure a sustained economic recovery, and secure the homeland. The funding for the war is necessary and significant; but keep in mind, it is a temporary cost, and the cost of fighting the war is well below the cost of previous conflicts. In fact, \$87 billion is less than 4 percent of the entire Federal budget.

I think it is important, Mr. Speaker, that people understand the total cost of the 9/11 attack. We are talking about hundreds of billions of dollars in costs just from that act of terrorism, and one study even pegged the cost to our economy of well over \$2 trillion. So we know that this effort that we are conducting in Iraq, this war against terrorism there, better there than on our own soil, and our continued expenditures for homeland security, it is a big number but it is small in comparison to what it would cost us and the devastating effect on this economy should we have another 9/11 occur anytime soon.

So I think it is real important that we put that in perspective, and I would like for the gentleman to speak to that if he would.

Mr. KENNEDY of Minnesota. Mr. Speaker, I would absolutely agree. The issue we have is we have a situation where we have a country that is in desperate need and has traditionally been a source of frustration for its own neighbors, disrupting the security of its own neighbors and contributing to terrorism and making us less safe here at home.

The question that I would have is when FDR decided that we were going to take Hitler out of Germany, did we ask how much it was going to cost? As I hear our friends on the other side of the aisle lambasting what is going on and lambasting the costs, it is a terrible cost to pay. I do not want to have to pay anything like that. It is something we have to watch over closely and make sure it is well spent, but we cannot not afford to pay it, and when they are talking, I say what if this was FDR? What if this was World War II? Would the same thing not apply?

If we look at what we did in Germany, what we did in Japan, we had the best track record of setting a region anew, setting a country anew. In the 50 years before 1945, Germany had helped initiate two world wars where millions of people had died. In the 50 years since, they have been a great contributor to prosperity, to world peace, a great friend and neighbor and a great friend of ours. We can say the same thing about Japan.

I have the very real sense that what will happen with our success, that we cannot afford to fail, we must win, we must create a democracy in Iraq, that we will have that same stark contrast between a disruptive past and a future that will benefit the region as much as it has in the past.

Mr. GINGREY. The gentleman is so right, and of course, people want to

say, well, we have not found any weapons of mass destruction, we have not killed or captured Saddam Hussein, so we have not accomplished the mission, the reason we went there; but of course, that was never the reason. As the gentleman from Minnesota points out, the reason for being there was to rid that part of the world of a dictator, of a tyrant; and of course, although we have not found a cache of weapons of mass destruction, in the process of looking, we have certainly found lots of evidence of mass destruction, that is, bodies, mass graves, where Saddam Hussein has murdered his own people.

As the gentleman points out, the main purpose is to bring some stability to the Middle East and to that part of the world as we effect this regime change; and make no doubt about it, that mission has been accomplished, and I wanted to just speak a little bit more, continue in that vein on cost, and it is actually estimated that since the Gulf War 10 years ago that the cost of containing Saddam Hussein, and that cost would be continuing if we were not rid of him, that cost over that 10-year period cost Americans at least \$30 billion, \$30 billion from the end of the Gulf War to the beginning of Operation Iraqi Freedom, for the military forces stationed in the Persian Gulf, patrols over the no-fly zone and, of course, associated costs.

So just appeasing, or if we want to say containing, Saddam and maintaining the status quo, as so many of our allies of the United Nations, countries who have been our friends and I think will continue to be our friends, that appeasement, that stance of do nothing and taking a chance and letting a sleeping dog lie was costing us, over a 10-year period of time, \$30 billion; and those costs were just going to escalate.

Mr. KENNEDY of Minnesota. The gentleman is absolutely right. The cost of freedom is high, but the cost of not defending freedom is far greater, and I appreciate the gentleman bringing up the mass graves.

Our soldiers over there, part of what really drives the fact is that they know they are there for a reason, and they are proud of what they are doing is having seen mass graves. One stands in front of a mass grave, as we did in our group in Babylon where there was 3,000 bodies recovered, 2,100 of them identified but 900 just reburied with whatever personal effects were remaining, were left in plastic bags on top for someone to try to identify them afterwards, and that is out of what they expect to find a 3 to 500,000-people mass grave, a million three people missing. This is out of a country with a population of 26 million where most people can tell you they know somebody who is no longer around, and that is the kind of grave, grave tragedy that we have recovered them from.

I am very pleased that we have been joined today by our good friend, the gentleman from South Carolina (Mr. WILSON), who I know has been to Iraq

even more recently than I have and has some thoughts to share with us on this subject.

Mr. WILSON of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Minnesota. I yield to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Speaker, it is an honor to be here tonight. I want to thank my colleague, the gentleman from Minnesota (Mr. KENNEDY), for asking me to be here tonight. Prior to my visit to Iraq, the gentleman was very helpful to brief me on what to expect, what to look for. He was very incisive, he was very knowledgeable, and it certainly made the visit I had very helpful.

Mr. Speaker, the central front in the war on terror is being fought in Iraq, and I was honored to be selected by the gentleman from Missouri (Mr. SKELTON), the Committee on Armed Services ranking Democrat, to serve on a delegation last week to newly liberated Iraq.

□ 2045

Our troops are heroes of an historic military victory and I was privileged to see firsthand how they are professionally conducting peacekeeping as they enable democracy to develop in Iraq.

This is not a war we sought, Mr. Speaker, but is a direct consequence of the September 11 attacks on America, leading to our fulfilling the President's plan to stop any country from harboring or supporting terrorists. As my colleague from Minnesota stated a moment ago, this is a war we must win. It is a war we can face head on in the terrorist breeding grounds overseas or it will return in full force on American soil.

As I met in Baghdad with Lt. General Ricardo Sanchez, the commander of coalition forces in Iraq, I was impressed by our military competence and resolve. At each stop we met with top military Iraqi and coalition civilian officials, but a highlight was to meet informally with troops of all ranks from our home States. I was startled that instead of patrolling streets by remote armed vehicles, our soldiers were walking the sidewalks, really getting to know the people, who are favorable 70 to 90 percent to our presence, and this has led to improved human intelligence, reducing terrorist attacks, Mr. Speaker.

When I asked General Sanchez about media reports of being mired, he responded very forcefully that this was untrue because real progress is being made. From his perspective, and that of Major General David Patraeus at Mosul, the coalition efforts are progressing much more quickly than what they had experienced in Bosnia and Kosovo.

Daily administration of Iraq is capably led by Ambassador Paul Bremer of the Coalition Provisional Authority. His leadership has coordinated recruiting over 60,000 new Iraqi security forces

and initiating over 6,000 community development programs for hospitals, schools, electrical transmission, business development, and road improvements.

From South Carolina, we are very proud that Columbia attorney George Wolfe, counsel of the U.S. treasury, is detailed to the Authority in Baghdad. He is helping coordinate currency conversion of tons of Hussein dinars to be replaced by new money beginning this month. Following World War II, it took nearly 3 years to convert German Deutschmarks, but the coalition will complete this feat in only 5 months.

The Iraqi Governing Council has been formed of 25 supporters of democracy to begin the process of self-government. It was encouraging on our delegation at the Al-Rashid Hotel to meet at a reception with Chairman Ahmad Chalabi.

Since the fall of Saddam's dictatorship, more than 90 percent of Iraqi municipalities have elected town councils, and I met courageous supporters of democracy serving as mayors, council members, and provincial governors as we toured Baghdad and then visited Al Hillah to the south and Mosul to the north. Traveling by helicopter, I could see markets filled with people, bridges left intact with heavy traffic and minimal war damage.

Visiting Al Hillah, I met the Polish general who is commanding over 20,000 coalition forces from 32 countries. In ancient Babylon, we were welcomed by religious university president Sayyed Qizwini, a descendant of Mohammed, who explained that Americans are revered as liberators. Then, as a chilling reminder of the Hussein dictatorship, the local governor escorted us to a mass grave site where thousands of women and children were slaughtered by the regime, which was cited a few minutes ago by my distinguished colleague, the gentleman from Georgia (Mr. GINGREY).

Following meetings at the palaces of Hussein, which have been transformed into Coalition military headquarters, I was glad to see the vibrancy of Mosul, the northern city of 1.8 million people, which had been the ancient capital of Nineveh of the Assyrian Empire. We attended the reopening of Kisik refinery, where 300 new jobs were restored. The refinery was abandoned 4 years ago, but is back on line producing fuel to trade with Syria for electricity to be sent to Baghdad as the dilapidated infrastructure is being rebuilt, ignored for decades by Saddam Hussein as he put more money into his palaces.

As our delegation returned last Tuesday, our transport carried a body bag containing a soldier who had died in Iraq, a sad reminder of the courage and sacrifice of our troops. He is a hero, protecting our homeland overseas from a hate-filled terrorist enemy, which has as its goal the destruction of modern Western democracy. His service should be an inspiration for Americans to take forcefully the new challenges we face.

Again, I would like to conclude by thanking my colleagues here tonight. They are making excellent points and ones that need to be brought to the attention of the American people. I want to thank both of them for making such a difference on behalf of our troops, our country. Civilization as we know it is under attack, and this is not the time to quibble, it is a time to stand together, and both of my colleagues are making a difference.

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman from South Carolina. I thank him for going there and finding out the truth for himself. And I really appreciate your bringing up the elected governments, because our goal there is to get out. Our goal there is to turn over the reins to the Iraqis. But we are not going to do that until there is a constitution that protects the rights of the minorities, the Assyrian Christians, the Kurdish, and so many other minorities there, the Turkamens.

Over 90 percent, as the gentleman mentioned, of the town councils have been elected. One of the things that struck me, and maybe the gentleman got the same briefing, they have provincial councils up and running as well. And our troops helped organize those elections, and if there are, say, 30 members on the provincial council, the leaders of the town and the province would come together and elect them, but the generals would hold out, say five to appoint themselves. And that was to make sure we had women involved, that we had the minorities properly represented. And we do have women on the Iraqi governing council, women in the provincial councils.

One of the things that struck me is that the Wall Street Journal recently published the first poll that was conducted in Iraq, the Zogby and American Enterprise Magazine did this, and one of the many things that I took away from that poll is when they asked, Do you want democracy or not? Women wanted democracy by a far greater percentage than men. This is a country and a culture that has not always had the same views towards women that we have in this country. We obviously respect the great corrections that they are not only applying throughout our country here, but if you go to Iraq you see many. And I am sure the gentleman saw many service-women doing just fine jobs, great jobs, and being wonderful examples for the Iraqi people. And I think that is something that is really another great sign of progress.

Mr. WILSON of South Carolina. What is also very impressive, too, is that when, in fact, we talk about other countries, such as Germany, and how we helped restore democracy to Germany, we cannot say that about Iraq. Iraq has never had a democratic history. So this is a new challenge. And I think it is extraordinary, as my colleague pointed out, that the Zogby poll indicated there is a favorable desire.

What I found so impressive in talking to the troops from my home State of South Carolina, and it was an informal setting, it was not contrived, there were no ranking officers there to make sure everybody said the right thing at the right time, they told me in walking the streets of Baghdad, which was really surprising, again, that they would be walking the streets of Mosul, that the people really impressed them as to their education level and their knowledge of issues. So there is really a bright future because of the people who live in that country and who deserve a chance.

Another point that was so exciting too, as we flew over by helicopter, we could see the number of satellite dishes. Prior to March, with the fall of the Saddam Hussein regime, there were no satellite dishes. Just as in North Korea, it is illegal to have a satellite dish in a totalitarian regime. But we saw hundreds, possibly thousands of satellite dishes, where people could stay in touch with what is going on in the world. They could receive the various networks from around the world by satellite. This is a new development which I think will be encouraging for democracy.

Mr. KENNEDY of Minnesota. Yes. And, Mr. Speaker, one of the things we did not see was all the planned-for catastrophes that never happened. We have challenges, yes, but the dams were not blown up, so they did not flood everybody down river. The oil refineries and the oil wells were not blown up, so they are producing. They are maybe not producing as much as they will in the future, and they are helping to offset the cost we are incurring. We did not have the tribal warfare everybody projected.

So there are so many negative things that did not happen at the same time all these positive things are happening.

Mr. WILSON of South Carolina. And, Mr. Speaker, the gentleman is being very concise in what he is saying. He is not overstating. The gentleman did not include the predictions of mass refugee formations going into Iraq out of Iraq through different regions. And if my colleagues will remember, there were dire predictions of urban warfare; there was going to be a massive quagmire. Did not occur. Even the quagmire that had been announced when we had like a 24-hour pause due to a sand storm, that did not occur.

Then, finally, of course, there was people who made extraordinary predictions of mass starvation. That did not occur. And it did not occur because the American military made substantial planning. The American government, through U.S. Agency for International Development, did extraordinary planning. I had the privilege of being last year in Kuwait in November and learning of the plans that were being made in the event an invasion was necessary.

I was very fortunate to go back in February to Kuwait and meet with the

troops on the front lines, the 3rd Infantry Division from Hinesville, Georgia, and the 1st Marine Division, and I saw the preparation being made for the conflict and then for after the conflict to avoid the dire consequences that we had heard would occur and did not occur.

Mr. KENNEDY of Minnesota. And the gentleman spoke of the satellite dishes. They are watching all kinds of channels now that they never saw before. They are seeing the outside world.

If you ask me, Mr. Speaker, what the average Iraqi thinks, the average Iraqi is thinking, how do I get to be like Kuwait as quickly as possible? How do I become a prosperous country? How do I have everything everybody else has? And it is not just the oil Iraq has. And I am sure my other colleague saw the same thing, when we looked down from those helicopters, it was green. They actually grow rice there. They have enough water between the Tigris and the Euphrates Rivers to flood fields and grow rice. This was the old supposed Garden of Eden. This was the cradle of civilization. So we have, really, a region that has foundations for prosperity, not just oil but water, that can produce a strong agricultural base as well as industry.

I know my colleague must have in Georgia many industries that rely on water, and having that diversified economy to employ the people is something that Iraq is potentially uniquely qualified in that region to do.

Mr. GINGREY. Well, Mr. Speaker, if the gentleman will yield, I think it is important to point out that in Iraq we are not talking about a Third World country. We are talking about what we formerly knew as Mesopotamia, the land between the Tigris and Euphrates. It is one of the oldest nations on the face of the earth and has had beautiful civilizations.

This is a situation where a brutal dictator was suppressing, indeed even killing his own people. And not only his own people, but also the neighboring countries, where we have moderate Muslim countries that are friendly and understand the value of life, like Turkey, as an example, and we mentioned Kuwait, and, of course, other neighbors of Saddam Hussein. Under this dictator, this regime and its reign of terror, if you will, these other countries lived in constant fear. And until we rid Iraq of Saddam, there would never be any opportunity for people to feel secure.

I am real pleased that the gentleman from South Carolina joined us this evening, and I commend him. He is one of maybe only 25 percent of the Members of Congress who is actually a veteran. I know his three sons also served in the military, and no doubt his teenage boy one day will. And it is really good to hear in these colloquies, and I know the gentleman from Minnesota would agree with me, to hear from people like the gentleman from South Carolina (Mr. WILSON) who knows the

military, understands, and who was part of a group that just recently returned from Baghdad, along with the gentleman from Minnesota, and with his own eyes, and your own eyes, saw the tremendous job that our troops, our well-trained troops, our modern technology was able to perform. They were able to inflict maximal damage with minimal collateral damage; with laser precision attacks, protecting as many innocent men, women and children as possible and I commend you.

Mr. KENNEDY of Minnesota. And we absolutely saw that. People might ask if everything is so great over there, why do we need this money to rebuild Iraq. Well, I want to point out, it was not due to the war.

As we went through Baghdad, and I am sure the gentleman from South Carolina saw the same things, we saw specific buildings, specific floors on buildings that were targeted and that were hit, but right beside that there would be a building standing and continuing in commerce today.

□ 2100

But what has caused a need for reconstruction is the fact that Saddam Hussein spent one-third of total income on armaments, and we are constantly recovering huge caches of arms in palaces. We were in one palace complex in Tikrit that had 112 buildings on the palace compound, each one of which could be called a palace itself. When you spend money in such awful ways on destructive things and neglect the people, that is what we are recovering from. We are not recovering from the war. That damage was very tightly focused, and maybe the gentleman from South Carolina (Mr. WILSON) can talk about what he saw in Iraq.

Mr. WILSON of South Carolina. Mr. Speaker, that was something very startling. I was showing pictures to my family of my visit; and I, of course, had some terrific aerial photos as we were flying by helicopter. We had a perfect view of the communities. I saw during the flights that I had six buildings destroyed. I also saw sites where rubble was pushed up, so I knew there were buildings no longer there. But the infrastructure is in place. The bridges that had to be destroyed in Serbia, that did not occur in Iraq. The bridges were in across the Tigris and the Euphrates.

When we talk about rebuilding, I hope the American people understand it is not because of the American destruction. The destruction is that created by Saddam Hussein. For example, in the schools, we are working very hard to show our good faith to the people of Iraq to get the schools open on October 1. When we talk about rebuilding the schools, we are not building beautiful edifices. Many of these schools are one-room schoolhouses which we are repainting. Particularly in the Shiite areas, the persons less likely to be followers of Saddam Hussein, their schools were closed or left

to be dilapidated. They are not to American standards, but they are going to be very fine schools. And very importantly, the materials they have to learn from will be modern materials. No longer will the math book have contrived subliminal messages of how bad America is and how bad the West is. Now it will deal with math, and history will be authentic. This starts on October 1.

Another part of the rebuilding that the American people should understand because it was not due to our destruction was the electrical transmission. Because Saddam Hussein had such a heinous dictatorship, there were two electrical transmission systems. This is, unfortunately, a very common occurrence in dictatorships, and that is the palaces had a system. Additionally, the Baath Socialist Party members, they were on the system that worked, and then the different government agencies were on that system, but then the general public was on another system. In fact, that system had been left in place during the 1930s and the 1940s, built by the British. That system is not only antiquated, it had rolling power service. The people who got service were the ones who paid a bribe to the people who administered the power plants. This is a bizarre circumstance.

It is very difficult, obviously, for Americans to realize there are two transmission systems. We are going in to help rebuild that system because it is crucial for economic development. One of the greatest industries of Iraq is cement production to build buildings and have commerce. That is a very high-intensive use of electricity. By getting the electrical transmission, some people perceive that as we are just trying to provide frills; but, no, we are trying to provide basic services so the economy can come back.

The bottom line is that is beneficial to America, because, as has been pointed out, after World War II we had the Marshall Plan. That was to rebuild Germany. It was not because we were fond of the Germans, but what it was is that we did not want that to become a breeding ground for communism, and the way to avoid that is for the economy to be revived. Our challenge in Iraq is to restore the economy so it will not be a breeding ground for terrorists.

Mr. KENNEDY of Minnesota. Mr. Speaker, as the gentleman mentioned, with electricity, we are bringing forth that core concept of equal treatment under the law. No longer does the Baath Party chair or the Sunni Arabs around Baghdad get their electricity before the rest of the country. Everybody is being treated equal.

Now the children are also benefiting from those schools. We are not having Saddam Hussein's picture on every other page of the textbooks.

We have had some very vicious attacks on Iraq by terrorists recently. This is the new front for the war on terrorism. We are fighting them in

their area of strength. Patton said, do not let the enemy pick where you are going to fight, bring the battle to them, and we are. But those terrorists think they are somehow hurting America and dividing us from the American people, but I sense something completely different.

When they attack the U.N., they are attacking the people who are trying to help in Iraq. When they attack the Shiite cleric in Najaf, they are creating a common enemy. The Iraqi people and America have a common enemy, and these acts are pulling us together toward the same goal of getting to the point of security and government where everybody in Iraq, as mentioned, can be equal under the law, and that is the final goal that we have to achieve before we turn over the reins.

Mr. GINGREY. Mr. Speaker, if the gentleman will yield, pointing out the attack on the U.N. Embassy in Baghdad where most of the deaths were Iraqi citizens, and, of course, the Ambassador from Brazil who had spent his entire professional life in trying to promote humanitarian efforts not just in Iraq, but in many, many countries, and for them to just come in and blow up that U.N. Embassy, and what was the U.N. doing in Baghdad? They were not a fighting force, they were just there for humanitarian reasons, that is all; in fact, so humanitarian that they refused to defend that facility. They did not want it to be guarded. They did not want it to appear that they were in any way there as a fighting force. And look what happened to them.

As the gentleman from Minnesota (Mr. KENNEDY) has pointed out, this killing is wanton, it is indiscriminate, and so they are not just attacking our fighting men and women, the United States troops, it is their own people. And it is this reign of terror that we are having to deal with, and it is something that just could not stand, and we had to bring an end to that, and we are going to have to continue.

The President has come to the Congress, and I talked earlier about the cost, and trying to put it in the proper perspective. And I think the gentleman from South Carolina (Mr. WILSON) and the gentleman from Minnesota (Mr. KENNEDY) would agree with me, none of us like deficits. We do not like debt. We would love to have a balanced budget. We are all fiscal conservatives, and \$87 billion is a lot of money, but let us talk about cost and try to put it in its proper perspective.

I have heard this statement: The \$87 billion is far more than what we spend on education or other priorities. How can we justify that? That is absolutely wrong. Of course it is a lot of money, but remember this: This is a temporary expenditure. This is an investment in America's security.

In contrast, the government's sustained commitments to domestic priorities are dollars spent every year, and they grow over time which appropriately dwarf this incremental cost.

Let me just give some comparisons in the fiscal year 2004 budget: Social Security spending, \$492 billion in fiscal year 2004 and growing; Medicare, \$259 billion; Medicaid and the Children's Health Insurance Program, \$187 billion; veterans expenditures, \$57 billion; education K-12, \$53 billion; the amount of money this country spends and we will be appropriating this year for higher education in the way of Pell grants and student aid loans to our neediest students so they can go to college, \$90 billion.

Again, \$87 billion, and I love to get the input from the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from South Carolina in regard to this overall cost and putting it in the right perspective. We hear over and over that people are more concerned about jobs than they are about homeland security. Members have heard that. We see it on some of the news shows at night. But while jobs, jobs, jobs are very important, and the President has brought to us an economic growth package that is going to grow those jobs, yes, there is a little bit of lag in the policy before those small business men and women can create those jobs, but just keep in mind, and I want to throw this out to put it in the right perspective, on September 11, 2001, some 2,875 men and women that went to work that morning at the Twin Towers at the Trade Center, they had jobs. They had good jobs. They had good jobs with good benefits, and they went to work that day feeling secure. Unfortunately, they were not secure. They no longer have jobs. They no longer are with us. They lost their lives that morning.

So while jobs are extremely important, and we need to do everything we can to stimulate this economy, and I commend this President and this administration and this leadership in what we are doing, Mr. Speaker, in trying to grow those jobs, they are not worth a tinker's darn if we cannot assure these workers when they go to work every day that they are going to come home to their loved ones in the evening. So we have to put it in its proper perspective.

Mr. KENNEDY of Minnesota. Mr. Speaker, I appreciate the gentleman from Georgia (Mr. GINGREY) helping us do that. This is the front line in the war on terrorism. We are up against people who kill men and women with no mercy and with no shame. One of the most vivid discussions I had was with the vice mayor of Mosul. He said, for you in America, this is a foreign policy issue. But for the jihadists that want to take the world back and have the women wearing veils, and have the men punished if they shave their beards, and have a few guys in beards making all of the decisions, and do what they have not been able to accomplish in so many other areas, if we succeed and have a democracy and freedom and an open economy in Iraq, they will fail and fail forever, because

just as Iraq has been a very disrupting force in the region in the past, it has the potential to be a force that expands that freedom, expands that prosperity, expands that openness and that choice to their neighbors, to Iran, to Syria, to Saudi Arabia, and what better way to make Americans secure, to make sure that they are not going to have to be worrying about their security than to plant that freedom in Iraq in that neighborhood.

Mr. Speaker, I yield to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Speaker, indeed what we are talking about is jobs, because in the war on terrorism, if we were to have disruption of our economy as we did on September 11, it could be immediately catastrophic.

□ 2115

With the container ships that we all very much depend on for products being sent from the United States by export, back to the United States by import, we know that there is a potential for an abuse there of explosives or whatever. So by having an interruption of our shipping, it could be absolutely catastrophic, particularly in the Northeast. If there was even a 3-day disruption of shipping, there could be a disruption of the oil and gasoline necessary for refining above New York City to the Northeast to the point where it would be catastrophic. We would have the return of the lines with the lack of fuel; people would lose jobs. In my home State, the number one industry is tourism. We already know that if we were to have a terrorist attack of some nature, that it would completely devastate the hospitality industry. This is just a ripple effect all over the United States, actually all over the world. So the war on terrorism is crucial for us to proceed. It is a war we must win. I want to thank both of my colleagues again for making this clear.

Mr. KENNEDY of Minnesota. I thank the gentleman from South Carolina. I thank the gentleman from Georgia. We cannot afford to lose. This is a fight that we must win.

IRAQ WATCH

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOFFEL) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOFFEL. Mr. Speaker, we have come back to the floor this evening, the Iraq Watch has come back to the floor, and we are glad to be back. There is new information to discuss, the President's speech today at the United Nations to review. I am looking forward to the next hour, joined by my colleagues, the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Illinois (Mr. EMANUEL),

the gentleman from Ohio (Mr. STRICKLAND); and I know others are on the way.

I would like to just start, though. The previous hour was taken by three distinguished Members of the other side of the aisle speaking about Iraq. I listened carefully to what they said and found myself in agreement with many of their comments. Certainly their frustrations that the press does not accurately report the good news, tends to report and dwell on the confrontations and the failures. That obviously is something we have broad bipartisan agreement on, the failures of the media to cover things the way we would like them to be covered. I would hope perhaps tonight could be the beginning of a more bipartisan discussion during this Special Order when we give our Iraq Watch hour. Perhaps in the future, the Republican Members could join us, not in a confrontational way, but in a way to see if there is common ground and, if we have disagreements, to develop those more fully. The purpose of Iraq Watch is to ask questions about our policies in Iraq, to see if there cannot be more information solicited for the Members of Congress and for the general public and to suggest policy changes that we think are necessary. Perhaps we can do that with our Republican friends in the future.

Let me take a few moments before turning to my colleagues to respond to the President's speech today in the United Nations. I should not say "respond," comment upon the President's speech. He essentially gave a summary of our role and our spending in Afghanistan, in Iraq, in the worldwide fight against AIDS and in measures to fight the traffic in humans and the sex trade. He also challenged the member nations of the United Nations to do more and join us in these efforts. It was a wonderful opportunity for the President to set forth our challenge to the United Nations, our desire for them to be involved in Iraq, to step forward, to provide leadership for the reconstruction and the security that clearly needs to be done in Iraq.

Yet the President, from my point of view, did not achieve that. I found his remarks to be flat and uninspiring. He did not set forth the role that the United Nations could assume in Iraq. He did not discuss the parameters of that role. He surely did not discuss the power-sharing that the United Nations member states have indicated they want to share in order to assume the major role in Iraq in terms of their reconstruction and their security needs. In fact, he made it clear in a reference to America working to submit a new resolution to the Security Council to bring in the U.N., the President's vision is for the United States to stay in control of the occupation in Iraq.

I think one fundamental question Congress has to ask as we consider the \$87 billion request the President has made, does the United States have to be in charge of the reconstruction?

Why should the United Nations not be in charge of the reconstruction and the new governance and the security? That would require the U.N. to step up to the plate, and perhaps they will not. If they do not, then we must finish the job ourselves, because surely we cannot leave a vacuum in Iraq. We must make sure that the innocent civilians of that country have an opportunity to move forward in a pluralistic way toward freedom, toward self-government, hopefully toward democracy as soon as possible. But why does the President refuse to consider the notion that the United Nations be given the primary responsibility, if they will assume it, to reconstruct Iraq, to provide security and bring a new governance forward? From my way of thinking, that is why there is a United Nations.

The President in his campaign for office scorned the notion of nation-building. He did not want to do it. Yet that is exactly what he wants America to do, primarily be in charge of nation-building in Iraq. I would suggest we consider a larger role for the United Nations. It was interesting the other day, the President sort of quickly, without any warning, finally indicated that he believes that Saddam Hussein was not behind the terror attacks of 9/11. He indicated that there is no evidence that Saddam Hussein was behind, or responsible for, those horrible attacks on 9/11.

Mr. DELAHUNT. If my friend would yield for just a moment.

Mr. HOEFFEL. I will indeed.

Mr. DELAHUNT. I thought what was particularly ironic was that the day before, on "Meet the Press," President Bush's Vice President, DICK CHENEY, said something entirely different. He made statements in which the only reasonable inference that one could draw is that somehow al Qaeda, Osama bin Laden, had a relationship with Saddam Hussein. I want to compliment the President of the United States finally for being forthcoming on that and ending that assertion that I think has caused great confusion among the American people.

Could I just go on for one minute, because, as you did, I witnessed the colloquy among our good friends, the Republicans from the other side of the aisle, and their discussion about Iraq. I have obviously significant disagreements. But I believe there is one thing we can agree on, that our men and women there have acted professionally, have reflected great pride on the military, and, in fact, on a number of occasions have acted heroically. But what I would do is to challenge them that when these men and women return as veterans and are no longer part of the military but assume that honored title "veterans," that we do not disrespect them. Because as you well know, this administration and this Republican Congress failed to support adequate funding for veterans health care benefits to the tune of \$1.8 billion. I wish one of them were here right now. In ad-

dition to that, if we are concerned about our veterans, if we are concerned about the men and women that are serving in Iraq today when they come home, it is important that we address the issue of disability for those that have been wounded in combat.

This is a story from yesterday, maybe today's, Miami Herald. I think it is important that the American people know this:

"Three months ago, the Republicans stalled a vote on a bill to erase a century-old injustice whereby the money that disabled military veterans collect in disability pay from the Veterans' Administration is deducted dollar for dollar from their military retirement pay." This, I daresay, is unacceptable, given the fact that we have a foreign policy that is creating more and more veterans. While we can praise them here on the floor of the House, there is currently right here in this Chamber a place to sign a so-called discharge petition that would redress this injustice, this travesty.

Let me continue with this story that appeared in the Miami Herald:

"A group of 401 retired generals and admirals signed a letter to President Bush earlier this month urging him to do the right thing by changing a law that penalizes disabled military retirees. In the words of one veteran, if George Bush only knew how deep and bitter the sentiment over this issue really is, he would immediately order his stooges and henchmen to back off and do the right thing. It will definitely be out the door in 2004 for everyone who did not support disabled military retirees." I daresay that there are close to 200 Members of this body that have signed that discharge petition, and it is my understanding there is only one Republican Member of the House of Representatives that has done so. That is wrong.

Mr. STRICKLAND. I would just like to point out to my friend that 202 Democrats have signed the discharge petition. Only one Republican has signed the discharge petition. It is something that I think the American people, especially the veterans in our country, need to know. They need to ask their Representative whether or not they have signed the discharge petition; and if they have not, they should ask them why they have not.

Mr. HOEFFEL. Before I go to the gentleman from Illinois, who has got important information about his American Parity Act and before we come back to discussions of the veterans, let me just quickly return to the point that I yielded to the gentleman from Massachusetts on, his absolutely accurate comments about the President obviously responding to the Vice President's comments when the Vice President tried to once again weave that web that Saddam Hussein was responsible for 9/11. It reminds me of that movie "A Bridge Too Far." I would suggest that the President finally leveled with the American people about

that because the Vice President made a comment too far. He just said it once too often and the press was paying attention and the President decided he had to say what we have all known, that there is no evidence of that connection between Hussein and 9/11.

But if you look at the President's speech today to the United Nations, he did it again. As another President said, "There he goes again." There were several references when the President talks about the regime of Saddam Hussein cultivating ties to terror while it built weapons of mass destruction, and nations are more secure because an ally of terror has fallen. Saddam Hussein is a murderous and evil man who was willing to use weapons of mass destruction against innocent civilians. He did it against his own Kurds. He did it against innocent Iranians. But there is no evidence of the so-called ties to terror.

It seems to me, before I yield to my colleagues, that one of the most fundamental things we need from the White House is for the President to level with the American people. The situation in Iraq and with Hussein was bad enough. It does not have to be exaggerated. We do not need to continue to try to make connections with terror that simply do not exist. Hussein is evil enough on his own. And every time a bogus claim is made or an exaggeration is made by the administration and by the spokesmen for the administration, it weakens the President's credibility, it weakens the national credibility, and it does not help us accumulate the international support that we need to internationalize the reconstruction of Iraq and to get the Iraqis back in charge of Iraq, which must be our two primary goals.

I thank the gentleman for being patient with me, and I am happy to yield to the gentleman from Illinois.

Mr. EMANUEL. I want to thank my colleague again for organizing this Special Order to discuss the news in Iraq. I think it is appropriate to focus on the President's speech, but I am also very interested in Mr. Bremer's testimony the other day and the document they produced about the plan for reconstruction in Iraq. They have produced a blueprint to how they plan to spend \$21 billion of American taxpayer dollars, hard-earned dollars to rebuild Iraq.

□ 2130

I just want to highlight some of the individual items. There is a \$5.6 billion plan to rebuild the entire Iraqi electric grid. In the summer, America had a blackout. The response in the new energy bill for investment in the American electric grid, not a single dollar will be dedicated. As everybody has noted, Democrat or Republican, conservative or liberal, we have the most modern economy on top of a Third World late-19th century, early 20th Century electric system. It is not up to the power that we need for an economy that is an information-driven economy.

They are going to get \$5.6 billion for an electric grid, a new system in Iraq. Not a single dollar is in the energy bill dedicated to the United States, and we had a massive Third World-equivalent blackout that covered the east coast and parts of the Midwest.

I would like to also note, and it obviously was in the gentleman from Ohio's State primarily, but the estimates are for every billion dollars we spend, we could produce 10,000 jobs here at home. That would create 50,000 jobs here in America if we would spend that money on America's electric grid, upgrade it and bring it up to snuff and the level that is equivalent to the greatness of this economy.

Mr. DELAHUNT. Mr. Speaker, I would ask the gentleman how many American jobs, 5 billion-plus that we are sending to either construct or upgrade the electric grid in Iraq, how many American jobs will that generate?

Mr. EMANUEL. Mr. Speaker, I have no idea, but two points on that, if I could, to my colleague. One is we do know it would produce 50,000 here at home if it was spent here. Second, there was an article the other day in *The New York Times* about how we are paying thousands of Iraqi workers who do not show up for work but just to kind flood the economy with money, thousands of no-show jobs. I am from Chicago. We think we have written the book on no-show jobs. We know something about no-show jobs. And thousands of people are getting paid a salary who do not show up.

Let me bring up a couple other things, if I could, because I think this is relevant to everybody's district. We are going to spend, according to the *Wall Street Journal* today, \$4.6 billion of the \$21 billion in Iraq. 4.6 is going to go for drinking water, wetlands restoration, environmental policy for Iraq, and also irrigation. I have a bill to invest \$4 billion in the Great Lakes, Lake Michigan, Lake Erie, Superior, Lake Huron. Twenty-seven million Americans get their daily drinking water from the Great Lakes. Twenty percent of the world's entire freshwater exists here in the United States. It is the largest body of freshwater in North America. Not a single Federal dollar; yet we are going to spend \$4.6 billion in Iraq for drinking water when we have got 27 million Americans here who get their daily drinking water from the Great Lakes and not a single dollar dedicated?

What I find most fascinating is we finally have an environmental policy for this administration. It is in Iraq because they are going to restore the wetlands.

Third, \$850 million of the \$21 billion will be spent in hospital construction. Of that, Basra is going to get \$150 million for a new children's hospital; \$150 million for a new children's hospital in Basra out of the \$850 million.

Mr. DELAHUNT. Mr. Speaker, I have hospitals in the Commonwealth of Mas-

sachusetts that, because of the cuts to Medicaid, are on the verge of closing and our people are suffering.

Mr. EMANUEL. Mr. Speaker, of the \$150 million, I have a request to spend \$1.5 million for the Children's Memorial Hospital in Chicago. It is one of the top five pediatric hospitals not only in the country, but the world. In fact, that hospital saved my life when I was 16 years old. I was there for 8 weeks. 1.5, it equals to 1 percent, and I am struggling to find the money for construction for a new facility to keep it on the forefront of children's facilities in pediatric care; yet we are going to spend \$150 million. So I am going to suggest tomorrow to the Children's Memorial Hospital in the city of Chicago at the corner of Lincoln, Halsted, and Fullerton that they may want to set up a sister program with the Basra Children's Hospital. They want 1.5 million? See if they can set up a sister program and borrow out of \$150 million for the new Basra children's hospital.

I would also like to draw people's attention in this \$21 billion that there is also money for Afghanistan. There is \$40 million to build 275 schools and train 10,000 more teachers in Afghanistan.

Mr. STRICKLAND. Mr. Speaker, if the gentleman would yield for just a moment, the President in his speech today said that he intended to build 1,000, 1,000 new schools in Iraq. And I serve a district where children are going to schools that are unsafe, where they have so many safety violations because of the age of the buildings that if they were a business, they probably would be closed down, where a prisoner that was a ward of the State could not be housed because the safety violations would keep the State from putting the prisoners in those buildings; and we have got school children going to those buildings, and the President is going to use the tax dollars coming from southeastern and southern Ohio where I have one county with unemployment of 13.5 percent, tax dollars are going to come from those moms and dads. They are going to come here from Washington, and the President is going to take those tax dollars and use them to build new schools in Iraq. It just does not make sense.

Mr. EMANUEL. Mr. Speaker, I also have a request. There is an academy in Chicago called the Chicago Academy, Carnegie endowment, called one of the landmarks for teacher trainings, a request for \$1 million for a landmark facility doing new teacher training in the schools for teachers who get master's degrees. The truth is I have nothing against the reconstruction investment in Iraq, but to vote for these cuts here at home, to ask the people in the gentlemen's districts and my district to pay the taxes, work hard, get the kids off to school, teach them the right values, and see their tax dollars go over there when schools are being closed, teachers are being laid off, police and firefighters are being laid off, health

care is being cut, 3 million unemployed Americans, 45 million uninsured Americans, and yet all this investment over there.

As my colleagues know, I have a bill called the American Parity Act, and it says whatever we invest in Iraq, we have got to do here at home. So when that bill comes on the floor, I will offer the amendment to ensure that our investment in Iraq does not in any way supersede our investment here at home because Iraq cannot have a future that is brighter and stronger than the one we are committed to to our families here at home and our children.

Mr. HOEFFEL. Mr. Speaker, if the gentleman does not mind a friendly correction, he hopes to offer the amendment. I know he will try to offer the amendment, but the House Committee on Rules is unlikely to allow any amendment to be offered to that bill.

Mr. EMANUEL. Mr. Speaker, to my colleague, I do think that the House Committee on Rules will give me "welcome to the NBA" treatment. I do see my bill getting stuffed.

Mr. DELAHUNT. Mr. Speaker, I intend to offer another amendment too along with the gentleman from Ohio (Mr. STRICKLAND) which would provide \$1.8 billion for our veterans, for American veterans who are currently fighting in Iraq so that when they come home, they will have the health care that they need and that they deserve.

Mr. EMANUEL. Mr. Speaker, one last thing. I draw these health care analogies, these school analogies, infrastructure analogies, the producing of jobs and building a future at home. There is also a request in there for \$100 million for a witness protection plan for Iraq. The entire budget for the United States on witness protection: \$30 million, for the entire United States. The last time I checked, we could help people who wanted to finger drug dealers, who wanted to finger big gang leaders. We could use that money. Thirty million dollars is all we spend for fighting crime here in the United States, but we are going to dedicate \$100 million to the Iraqi witness protection plan. I think Americans will look at that and think maybe we should have a dual citizenship program. Maybe they should apply over there and start fingering people.

Mr. DELAHUNT. Does the gentleman have any details on this plan?

Mr. EMANUEL. No. It is in there. If we ever get a chance to ask Mr. Bremer or the people that developed this, I am not suggesting they do not need resources to help people who would turn on former Baathists that are living in the neighborhood, but \$100 million for a witness protection plan in Iraq, and we spent our entire Department of Justice request last year in 2001, \$30 million; \$3 million in the State of California. Ten percent of the budget to that. Does anybody really believe that we could not use more money or that is going to be well spent? And yet the American

soldiers, their families and their kids in the recent tax credit get only \$450 per child tax credit.

Mr. HOEFFEL. And many of them do not get that.

Mr. EMANUEL. No, they will not get that. There are 12 million children in this country who will not get the tax credit; yet we are going to spend \$100 million in Iraq on a witness protection plan.

There is a desire to build 3,500 units of affordable housing in Iraq. The President's budget submitted had 5,000 units of affordable housing. Iraq's entire affordable housing unit will be nearly equal to the President of the United States' plan for America.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield for a moment before he leaves the floor, what I find particularly ironic is that it is the so-called Iraqi Governing Council that is really supporting our premise. They think that the administration is overspending. Stop for a moment and we should explain to those that are watching us here this evening that it was Secretary Rumsfeld and this administration that appointed the governing council.

According to a story that appeared in The New York Times yesterday, they are coming to Congress. They are going around the administration. They are getting frustrated. They are coming directly to the legislative body; and according to this particular story that appeared, again, in yesterday's New York times, they are coming to argue that American taxpayers could save billions of dollars on Iraq's reconstruction by granting sovereignty more rapidly. In interviews, the Iraqi leaders said they plan to tell Congress about how the staff of L. Paul Bremer, the American occupation administration, sends its laundry to Kuwait, how it costs \$20,000 a day to feed the Americans at Al-Rashid Hotel in Baghdad, how American contractors charge large premiums for working in Iraq, and how across the board the overhead from supporting and protecting the large American and British presence here is less efficient than granting direct aid to Iraqi ministries that operate at a fraction of the cost.

One member of the governing council made this statement: he estimated that in some cases the savings could be a factor of 10 where, and these are his words, our appointee to the group that is commonly described as the governing council, he said where they spend \$1 billion, we would spend \$100 million. What are we doing?

Mr. EMANUEL. Mr. Speaker, we have been joined by the gentleman from Hawaii, but I want to add one thing. What I described was the line items of the \$21 billion for the Iraq and Afghanistan reconstruction. I went through the hospitals, the education, infrastructure, the water projects. I did not mention that today in the newspaper there is an additional \$8 billion that was just recently offered for Tur-

key. I do not have anything against offering assistance to Turkey. They are a good American ally, but \$8 billion so they would participate. What I find interesting is we spend about \$11 billion a year on Pell grants. So Turkey in 1 year will get nearly what we spend for one of the largest Federal assistance programs for kids to go to college here in the United States. That is what we are going to offer Turkey.

So just to put this in perspective, we have \$21 billion for the Iraq and Afghanistan reconstruction, the lion's share going to Iraq. That does not count what we are spending now in Turkey that was just approved yesterday. I do not know, but the last time I checked, we fought tooth and nail to get Medicaid reimbursement here at home for our hospitals for the health care of our citizens, and I know our colleagues from Ohio and Hawaii, and I do not want to take more time than is allocated here for me.

□ 2145

But I want to add that piece for Turkey to that number. As we talk about \$21 billion, there is another \$8 billion just offered for Turkey. Again, there are needs at home. It need not be an either/or situation that the President has put us in, America versus some of our allies.

Mr. STRICKLAND. If my friend will yield for a moment, we keep talking about the \$21 billion for Iraq, and that is out of the \$87 billion the President has requested. But we should not forget that we have already appropriated \$65 billion. What we are talking about here is over \$150 billion that has already been requested out of the American taxpayers' pocketbook. So it is maddening to me when the President stands before the U.N. today and he says we are going to build 1,000 new schools in Iraq, and we are underfunding the No Child Left Behind bill by \$8 billion.

We ought to care about Iraqi children, but we ought to care about American children and American kids as well. And then he says we are going to build hospitals and health care clinics, and we are underfunding our VA health care system by \$1.8 billion.

So which is it, Mr. President? Do you care more for the Iraqi citizens or for America's veterans? Do you care more for Iraqi children or America's kids?

It is just maddening to me. I do not think the President has been a straight shooter with the American people, and I do not think it was any coincidence that when the President finally came clean and 'fessed up that there was no evidence that connected Iraq with September 11, 2001, that he did it in the midst of a hurricane, when the Nation's attention was focused on the weather. But the fact is, it is significant, because about 70 percent of the American people apparently continue to believe that we went to Iraq because Iraq was involved in the attack upon our country.

Afghanistan was involved in the attack upon our country, and I think we all supported going into Afghanistan. But the American people need to know that there was no connection between Iraq and September 11, and no weapons of mass destruction have been found. So I find myself asking, what is the justification for what has happened, and how are we going to deal with this mess we have gotten ourselves into?

Mr. HOEFFEL. I just wanted to add to the gentleman's comments that the reference to Afghanistan is important because we have been distracted from the challenge in Afghanistan because of our commitment in Iraq, and things are not going so well in Afghanistan these days. The Taliban is reforming, President Karzi is having a difficult time with security outside of the capital city of Kabul, and clearly we did not get the job finished in Afghanistan, where al Qaeda was clearly located and where the Taliban was allowing al Qaeda to flourish.

Mr. STRICKLAND. And where Osama bin Laden is still hiding somewhere out there planning the next attack upon our people.

Mr. HOEFFEL. I thank the gentleman for his comments.

We have been joined by the gentleman from Hawaii (Mr. ABERCROMBIE). Aloha.

Mr. ABERCROMBIE. I came in just at the moment when I could say to our good friend from Chicago, maybe we ought to talk a little turkey tonight.

I just find it extraordinarily interesting that people continue to come to our offices, and I want to emphasize that all of us are here working today, and we find ourselves, do we not, meeting with constituents who come to our offices with concerns, and among them, and perhaps Members here can verify today, they probably saw, if they have any military dependents in their districts, representatives of the Impact Aid Coalition.

For those in our listening audience and for those Members who may not be thoroughly familiar with what Impact Aid means, you will find that when a child is in a school district as a result of his or her parents being assigned there by the United States military, that district is generally eligible for what is called Impact Aid, because that child has an impact on the finances of that school system. That child's parents may or may not be paying the same kinds of taxes, contributing the same kind of financial support, that would be there if that parent was in fact living in that district as a matter of course in their life. So in areas where we have a high number of military dependents, the United States and Congress in its wisdom has evolved a system called Impact Aid.

Now, the astounding thing that is taking place today is here are our constituents on behalf of military-dependent children appearing in our offices asking for funding, full funding of Impact Aid, inside the boundaries of the

United States. We will pay foreign nations 100 cents on the dollar with respect to those children and their education, but within the boundaries of the United States, tonight as I speak, those children and their parents have to beg the United States Government for financial assistance for the children of our own military that are serving.

Some of the same military that is serving tonight in Iraq have children in this country whose education is not being paid for by the Impact Aid to which they are entitled. This is the kind of disconnect that is taking place with the prosecution of this war and its aftermath that the people of this country have to come to grips with and come to terms with.

Mr. DELAHUNT. If Mr. EMANUEL could tell us how many tax dollars from the United States are going to Iraq to construct or rehabilitate schools in Iraq. What is the dollar figure?

Mr. EMANUEL. The schools number has not been determined. What I do know is they have \$40 million for an Afghan school program, 10,000 teachers trained. The budget is not line-itemed. There is a big number in there for the 1,000 schools that our colleague from Ohio noted the President has planned for Iraq.

The \$21 billion, at this point, we just got this today and are still going through it. The whole line item, as I outlined earlier, it has numbers for the electric grid, for the water projects, for the hospital program.

As my colleague noted, there is a vision there. But there is not a person here among us whose constituents have not talked about after-school programs, teachers being laid off, police and firefighters being laid off, hospital doors closing on the uninsured in this country. So there is not one of us who are not begging for money for their districts and see plans and visions and dollars for Iraq that do not match up with what we hear here at home, in America.

Mr. ABERCROMBIE. If the gentleman would yield on that point, all of that is true, but my emphasis here is these are military dependents. These are the dependent children of people who are now fighting in Iraq, and those children and the school districts within which they are now living are not funded under the Impact Aid program that we ourselves have authorized in the Congress.

If this is taken as the basis for our conversation in the immediate, I would point out that is one of the reasons why some of us are insisting that before any of this money be voted, that it be authorized; that the requisite subject matter committees, perhaps the Committee on Education and the Workforce or most certainly the Committee on Armed Services, have hearings on this to determine what in fact should be authorized, how much unexpended funds there are, where funds have been allocated, and have an audit

of what has been spent to this point, what is expected to be spent, before we simply go to the Committee on Appropriations and in effect block the entire legislative process that has been established for every other item.

The fact is that an appropriation, an emergency appropriation, a supplemental appropriation, should be handled only under emergency circumstances. These are not emergency circumstances. This is the result of what has taken place up to this point and needs a sober, serious consideration and analysis before we take one step forward.

Ms. JACKSON-LEE of Texas. If the gentleman would yield, to add I guess insult to injury on his point about Impact Aid, we have just been told, my office has been told and a number of you, I am sure, have been contacted, that posttraumatic mental health services for returning service veterans and their families are now being cut, so that certain military bases where our troops will be returning from Iraq, and these are enlisted persons, will not have sufficient mental health services to deal with the trauma that they have experienced in Iraq.

Some of my constituents were in my office just this past weekend talking about that kind of crisis, which leads me to support this whole idea that there has to be an accounting of how these monies were spent.

I just sent to my colleagues a whole list of discussion points about the \$87 billion, which takes into account accountability, full hearings, and I might say that we should question the reason for voting for the total package of \$87 billion without having a separate vote for how much it will take to support our troops in Iraq and get them the kind of equipment and food and services that they need, and then place the rebuilding of Iraq, so we can address the questions of the distinguished gentleman from Hawaii. Why are we not funding the Impact Aid? Why do we not separate out the rebuild question?

I leave you on this point: I have asked for full hearings on the weapons of mass destruction and what we spent money on, but the real question is, what will our allies pay for? I did not see much in the speech today at the United Nations where I would have been anymore encouraged as an ally to jump in and join us, because I did not see any conciliatory remarks by the President. But he is asking them to send troops, he is asking them to pay money, and he is asking them to see lives lost. We are already experiencing that.

The question is, before we spend money on the rebuild, what are these allies willing to do? What is the deal we are cutting? How many troops will be sent and how much money will be expended? So we can spend good money on our troops.

The last point is very important: The defense appropriations we just passed, that are coming up, how much of that

could we not utilize for the operation in Iraq?

So I thank the distinguished gentleman from Pennsylvania (Mr. HOFFEL) for having this special order, and I hope that we can have the kind of honest debate that will be befitting of the oversight responsibilities of this Congress and our commitment to the American people.

Mr. HOFFEL. I thank the gentlewoman from Texas for joining us. She adds great wisdom and enthusiasm to the discussion. I hope you will be here every week with us. We plan to continue this for the duration.

I know there is one of our colleagues who has been patiently waiting who has not spoken yet. First the gentleman from Illinois (Mr. EMANUEL) has a quick point to make.

Mr. EMANUEL. I want to make one quick point that I left out of my notes, and I would like to draw people's attention to it.

There is \$21 billion in this for rebuilding for Iraq. There is another line item for \$150 million for retraining and recruiting police officers to guard the streets of Baghdad. Yet the President's budget zeros out the police program that funds police on the street here in the United States, the 100,000 police program.

So we will have dollars dedicated to recruiting, training, upgrading the police security for the city of Baghdad and the rest of Iraq, 40,000 of them; yet the President's budget zeros out the COPS program here in the United States to help recruit 100,000 police on our streets, to make sure we have the right types of police on our street, they have the resources they need, so we can actually bring crime down here at home.

These are the people, if we have a terrorist threat, we are going to be calling on. And yet, as I went through the hospital program, I went through the water purification program, I went through the electric program, comparing what was going on there versus the cuts or eliminations here or nonfundings here at home, I left out the police program that I think is also important. Somehow we have placed the safety and security of what goes on in the streets of Baghdad above what we are doing here at home. I did not want to leave that out from the discussion.

Mr. HOFFEL. I thank the gentleman from Illinois (Mr. EMANUEL). He has done a magnificent job with this fiscal analysis of the requested money for reconstruction in Iraq. It is a fascinating comparison that I think all of America needs to pay attention to. You made a reference to wanting to ask Paul Bremer these questions directly. I know the gentleman from Massachusetts (Mr. DELAHUNT) and I will have an opportunity on Thursday when he appears before the Committee on International Relations, and maybe we will have a chance to use some of your material, and we will credit you and ask the appropriate questions.

Let me now yield to our colleague the gentleman from Washington (Mr. INSLEE).

□ 2200

Mr. INSLEE. Mr. Speaker, I just want to note the message that I heard in my district this weekend, representing the First District north of Seattle. I went to the homecoming of the USS *Carl Vinson*, one of our great aircraft carriers stationed in the west Pacific. They went for a tour that was supposed to be 1 month, but because of the Iraq War, they were essentially out to sea for 8 months, and it was really exciting to see families reunited after this patriotic service in the west Pacific.

But I heard two messages while I was out and about this weekend talking to these folks. One was how proud we are of our people doing this very difficult duty, and the second was being absolutely flabbergasted by the amount that the administration has requested for the reconstruction of Iraq and these expenditures. People were absolutely floored when they saw the numbers that are associated with this project that the President has led us into or gotten us into, depending on one's perspective, in Iraq.

And we worked just on the back of an envelope as I was talking to some constituents about how much money this is. Conservatively this is going to be \$200 billion before we are out of Iraq, conservatively. The gentleman from South Carolina (Mr. SPRATT) has done a great job on the House Committee on the Budget, which has done an analysis of the various scenarios, and, conservatively, it is going to be over \$200 billion. That is \$480 million for every congressional district in the United States. That is \$8 million a week for every congressional district in the United States. That means if we think about what this money really means, it means in your town, it means \$8 million you could be spending on a new school or health care, \$8 million a week you could put, conservatively, 7,000 to 10,000 kids in your hometown through college with the amount the Iraq project is going to cost.

Mr. Speaker, that is why people are flabbergasted by this number. The reason they are flabbergasted is because the enormity of the number and because the President simply did not shoot straight with the American people on how much this was going to cost when we started this entire project, and now people are very, very upset about it.

Mr. STRICKLAND. Mr. Speaker, if the gentleman would yield just for a moment, the numbers are startling, I agree, but I think they are even more troublesome when we put them in perspective. We are talking about billions and billions and billions to rebuild Iraq, and as has been pointed out this evening, we are underfunding our veterans' health care by \$1.8 billion. It seems so easy for the President to talk

about billions and billions and billions for Iraq, and yet this administration and the leadership of this House, they are fighting us tooth and toenail to keep us from getting the \$1.8 billion we need just to provide the basic medical services to our soldiers.

I want to tell my colleagues something that I found out today that is shocking. I think the American people will be appalled when they find this out. The soldiers who have been wounded in Iraq and have been brought back to this country and are currently in hospitals a few miles from here, Walter Reed Hospital, when they leave the hospital, if they are able to leave the hospital, they receive a bill. They are being charged \$8.10 every day they are in that hospital for the food they eat. Think of that. You are in Iraq, you get your leg blown off, you come to Walter Reed Hospital here outside of Washington and get medical care, and when you leave the hospital, they present you with a bill totaling \$8.10 for every day you are in that hospital for the food you have eaten.

Why are we willing to nickel and dime our veterans and be so incredibly generous with those who are living in Iraq or Turkey or elsewhere around the world? It is almost beyond belief.

Mr. DELAHUNT. Mr. Speaker, it does border on the incredible when we just hear our friend, the gentleman from Hawaii (Mr. ABERCROMBIE), talk about the issue of impact aid in those school districts which provide education for the children of military personnel, when we reflect on the \$1.8 billion underfunding for health care, when we think about the fact that this Republican Majority is continuing to penalize disabled veterans, and now this, this \$8 per day to feed veterans that are in our hospitals after combat in Iraq. I cannot imagine anything so obscene.

Mr. Speaker, back in the early 1930s there was a very famous march in Washington, and it was the march of the veterans to decry the way they were being treated. We are getting to the point where there will be another march of the veterans on Washington unless this House and this President take action.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will yield on that point, we have tried to emphasize, and our chairman, the gentleman from Pennsylvania (Mr. HOEFFEL) would agree, that we have tried to emphasize in our remarks in the Iraq Watch, as we have proceeded from week to week, that this is not a partisan attack; this is not meant to be a Democratic Party discussion and analysis. Obviously, anybody can come and join us who wishes to do so. But nonetheless, the plain fact is that the House, as the gentleman from Massachusetts (Mr. DELAHUNT) points out, is going to have to act, the Congress is going to have to act.

The gentleman from Florida (Mr. YOUNG), for example, the chairman of

the Committee on Appropriations, is aware of what has taken place at the hospital because I know that the chairman of the Committee on Appropriations and his wife and family visit regularly, and this did not just start with the war in Iraq; this is something that has been a lifelong commitment of the Youngs. They have, that is to say, upon the discovery of that, I know that in at least one instance the gentleman from Florida (Mr. YOUNG) has paid that bill himself, and he has a bill in the Congress now which we should pass instantly. We should have that on the floor.

Mr. DELAHUNT. By unanimous consent.

Mr. ABERCROMBIE. Mr. Speaker, it should just come right down on a suspension vote and be passed. But the fact that it has to be passed, the fact that the gentleman from Florida (Mr. YOUNG) has to take the lead as the appropriations chair to right this wrong is indicative of the fact that the administration has failed to understand what is at stake here. Surely something like this could be rescinded by an Executive Order. We are apparently able to go to war without the slightest recourse to the Congress for approval; one would think that the administration could rescind this tax on food for wounded veterans in our Nation's military hospitals.

So I think the Congress has the obligation to get involved in this oversight in a way beyond that which is the ordinary passage of bills and the ordinary scope of legislation that we go through in the quotidian details of legislative life here in Washington. This is a perfect example of it. In some respects, it is almost shameful that the chairman of the Committee on Appropriations has to resort to a legislative bill to right this wrong, which is obvious to anyone who would objectively look at the situation.

There is no doubt in my mind that the good offices of the chairman of the Committee on Appropriations is utterly and totally sincere and straightforward. The question is not the motivation of a Republican Member or a Democratic Member; it is that the Congress has to bring any administration, Democrat or Republican, to account with respect to how we fund things, where we fund things, why we fund things, and what the rationale is behind it. This is our obligation as Members, regardless of party.

Mr. INSLEE. Mr. Speaker, if the gentleman would yield, I want to note another little secret cost, and this is another reason for congressional oversight of this expenditure. There is a secret little bitter financial pill in here that so far I do not think we have talked a lot about, and that is because the administration wants to borrow, every single dollar for this Iraq operation, the President wants to take it right out of the Social Security Trust Fund, every single dollar. He will be borrowing every single dollar he expends in Iraq from the Social Security

Trust Fund. And to do that, of course, we will have to pay interest on that. The interest alone, for which Americans will get absolutely nothing, conservatively, under an optimistic scenario, will be \$83.9 billion in interest charges that the President of the United States wants to impose on our children, because that is the generation that will actually be paying this. If it is not so rosy and we are there through 2008, it will be \$104 billion in interest charges.

One of the reasons Congress needs to engage in a debate about how to handle this situation is we do not believe we should put those interest charges on our children. It is unconscionable to put \$80 billion of debt on our kids of interest for which they get no teachers, no cops, no sailors, no soldiers. This is the biggest item of waste, fraud, and abuse probably in the Federal budget, this interest charge that they want to sneak by the American public so they do not know about it. And they do want to sneak it by. And do my colleagues know why they want to sneak it by? Because the President did not tell us about this when they started this war. I do not remember him saying, this is going to cost \$80 billion in interest, and I can borrow it from the Social Security Trust Fund.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentleman will yield, in contrast to what the gentleman has just offered about how we are spending on this war, in the Bush I war, if you will, the Gulf War, the total expenditures were about \$62 billion, \$63 billion. Because of the coalition, whatever one's opinion was on that war or this war, because of the approach that was utilized, a coalition effort, in fact, they were going in to liberate Kuwait, we spent only \$7.5 billion. The American people are willing to make sacrifices, but we did it as a coalition.

Right now we are standing postured to spend \$150 plus billion, \$79 billion and \$87 billion, and then possibly another \$75 billion, which speaks to the question of layering this country and layering our children with enormous debt and getting nothing for it, and our soldiers and our veterans and our families having no school aid, no impact aid, no mental health aid, nothing for what we are doing. We need to have full oversight of this Congress on behalf of the American people.

Mr. INSLEE. Mr. Speaker, I just want to note also that the projections that the President has given us are assuming that he is going to go with his tin cup to the rest of the world and get another \$50 billion to \$60 billion from the rest of the world. I do not see that money coming in in the next 10 days.

Mr. DELAHUNT. And today, from the reaction of the United Nations, it was clearly that \$60 billion from the rest of the world is a pipe dream.

In addition to that, earlier we heard from our Republican colleagues, and they were making the comparison with FDR and how he excited the American

people and made a commitment to peace. And yet what a difference, because FDR asked the American people if they would accept a war tax. And yet we have this administration doing exactly the opposite, creating deficits that are looming so large that all economists, from the right to the left and in between, are saying we are on the cusp of real economic danger. We are looking at a bleak economic future if we continue down this road. So any comparison between President Bush and the conduct of FDR, I dare say, is not apropos.

Mr. HOFFEL. Mr. Speaker, I thank the gentleman for that point. It is very well taken.

We have about 2 minutes left this evening in our Iraq Watch. I would summarize my thoughts based upon what all of us have said, and the President's speech today, it is clearer than ever before that the President needs to do three things. First, he needs to level with the American people about the costs, about the timetables, about what we are getting into. Secondly, we need a plan on how he is going to internationalize the reconstruction and the security challenges in Iraq, and how he is going to get Iraqis back in charge of Iraq; how long will it take, when will we know it is going to happen. The third thing we need is an exit strategy. We cannot leave until these other things happen, or until the United Nations steps up in a real way to do it. If they do not step up, we have to stay and do it. How will we judge our progress? When will we know when it is time for us to leave?

We have 1 minute left, I think. Any comments from my colleagues?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I just want to offer and hope that we can separate the vote. We are united behind our troops, and to be able to have a deliberative, studied approach to the operation, rebuild, that will allow us to have accountability and an exit plan, and all the remarks that the gentleman said.

Mr. ABERCROMBIE. Mr. Speaker, I think in conclusion it is important for us to reiterate that what we must avoid is equating support for a political agenda with support for our troops.

□ 2215

To the degree or extent that that is deliberately confused in people's minds by politicians who are attempting to associate their political policies with support for the troops that has to be resisted. That has to be pointed out. That has to be applied and dissected, and so I think that it is important for us to continue to meet, to continue to urge the media to do more than simply take press releases and speeches at face value and to perhaps follow a little bit more analytically what is taking place and most certainly for all of us to stand up and make sure that everyone in this country understands that political agendas and support from the troops and for the troops are two different things.

I do not think anybody recognizes the full degree of anger that is building in this country as a result of trying to confuse those two points.

Mr. DELAHUNT. I thank the gentleman from Pennsylvania (Mr. HOFFEL) for everything he has done. This is, I think, our 11th week; and as has been said over and over again, there will not come a week when we are not here to ask those questions because it is our responsibility, it is our patriotic duty; and I thank the gentleman.

Mr. HOFFEL. Mr. Speaker, I thank my colleagues for the promotion they have given me this evening, but we are all equal in the Iraq Watch, and we will be back next week; and I thank the Speaker for his cooperation.

ENVIRONMENTAL PROTECTION AGENCY

The SPEAKER pro tempore (Mr. MCCOTTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes.

Mr. BLUMENAUER. Mr. Speaker, this evening I wanted to take the opportunity to deal with the critical issue of our Environmental Protection Agency, the key Federal agency dealing with the environment and of great import to citizens all across this country.

Recently, we have seen the resignation of Christine Todd Whitman as the administrator. Ms. Whitman was a former moderate Governor of New Jersey and was hailed by some as an important signal, when she was appointed by the Bush administration, of perhaps some environmental moderation and balance, that there would be an opportunity for the administration to use the appointment of someone like Ms. Whitman to send a signal that it was going to try and operationalize some of the rhetoric that was used by then-Governor Bush in his Presidential campaign where at times, in some of the debates with Vice President Gore, he was actually making even stronger statements in support of the environment. My colleagues will remember he was going to deal with all four of the air pollutants dealing with, in the debate, in terms of the regulation.

What we have seen in the course of the past 32½ months, sadly, has been a rather extreme disappointment on the part of those who follow the environmental developments and, in fact, has been rather unnerving for many Americans.

Administrator Whitman has left, some would say, under a cloud, literally and figuratively, being repeatedly undercut or backtracking in terms of her environmental pronouncements, most notably internationally dealing with global climate change, staking out a position of reasonableness and international cooperation, only to be pulled back by the administration and

to repudiate that position by the President himself.

New attention is being directed to the EPA and its administrator, as we have a nomination by the President of Utah Governor Mike Leavitt to replace Ms. Whitman; and indeed, today our colleagues in the other body began hearings on the confirmation. In his opening statement, Governor Leavitt talked about balance, "Balance between this generation and next, balance between sustainable environments and sustainable economies and balance among regions."

I was struck by how, in this language, he was closely following the advice of the Republican political consultant Frank Luntz who sent a memo to the Republicans in Congress earlier this year entitled *Straight Talk*, which has become rather notorious here on Capitol Hill, because its advice to the Republican Party in Congress is not to deal with strengthening its record, not to deal with new initiatives to protect the environment, not pushing back on the President's efforts to erode environmental protection; but instead, it is a blueprint of how to talk about the environment.

The memo starts with: "Tell them a personal story from your life," and it is interesting that Governor Leavitt started out his testimony with a story about being 8 and going to the Grand Canyon.

Luntz urged Republicans to talk about a "fair balance between the environment and the economy," and indeed, Leavitt has even made up a word called "enlibra," which he wants to mean this environmental balance.

The Luntz memo tells Republicans that they need to be even more active in recruiting experts who are sympathetic to your view and more active in making them part of your message. Governor Leavitt has been accused by those working on the environment in Utah of reassigning or demoting dozens of wildlife scientists after they recommended needed protections for endangered species in Utah.

The issue is not making up words. It is about telling the truth about the environment and the public health consequences.

I would like to make clear from the outset that there are some aspects of Governor Leavitt's record that I personally find very interesting. I have done a lot of work over the years in the State of Utah, and I have worked with the people who are involved with a program called *Envision Utah*, which is planning for the future that people in Utah want to promote livability, to promote sound land use and integrating the built environment with the natural environment; and I will say that Governor Leavitt by all accounts has been involved with smart growth issues.

He was the honorary co-chair of *Envision Utah*, a public-private partnership to implement this quality-growth strategy, to help protect Utah's envi-

ronment, economic strength and quality of life from urban sprawl; and I personally think that this is a positive development. There are 130 key stakeholders in Utah, State and local government officials, business leaders, developers, conservationists, landowners, members of the LDS Church and others in the religious community and citizen groups.

They had 150 public workshops where citizens discussed how they wanted to shape future land use, transportation and open space preservation; and in these public workshops, when citizens were given the chance to, they demonstrated that they wanted more investment in public transit, more initiatives with affordable housing, more reliance on alternative transportation like cycling and walking. They were concerned about the preservation of open space and more town-like development along the transit lines.

I have been pleased to note that Governor Leavitt has been part of an implementation of this vision for the future. He supported the creation of a special fund for open space protection, secured funding for 175 miles of railway right-of-way for commuter rail and has been involved with leadership in the National Governors Association as chair, raising the profile of growth issues and promoted tools that States can use to contain sprawl and build healthy cities and towns. He even lobbied the National Governors Association to produce its first-ever land use principle.

This is an encouraging development because this is truly an area of environmental protection that cries out for bipartisan support, for leadership from the administration and Congress, for doing things where Congress leads by example, with the administration, to model the sort of behavior we want from the rest of America, to lead by example.

Another area that I thought was intriguing in the Governor's record, as I have examined it, deals with the accomplishments attendant to the Olympic games. He was Governor during this period. There was a net zero air emissions. There was a voluntary effort where local companies donated emissions reduction to offset pollution from the games, an interesting and innovative approach. There was zero waste from recycling and composting, and there was complete compliance with all environmental standards, unlike what some in Congress would do, exempting parts of the Federal Government.

Most recently, we had an effort here in Congress to eliminate environmental requirements of the Department of Defense to play by the same environmental rules as the rest of America, except of course when there was a need for an exemption for national security; but there are some here who were saying that is too hard for the Department of Defense, we want to exempt them across the board.

Governor Leavitt did not use the Olympics and the significant task that that faced for his community and for our country to shortcut environmental standards. Instead, as near as I can tell, his administration was in complete compliance, an interesting and important precedent that I would like to see modeled here in the Federal Government. They were involved with things like planting over 100,000 trees.

So I want to be clear that I am not reflexively opposed to the Governor; and I do think there are elements of his record that are worthy of praise, and I hope that we would find willing people here in the Federal Government to implement some of them; but there must be a full look at the Governor's record, and as a long-tenured Governor, he has achieved a number of other areas.

I have already referenced deep concerns from some of the people who have been following environmental developments in the State of Utah, the notion of not having hands off when it came to allowing the scientific experts to state their opinion. He fired a division of wildlife resource enforcement official who had fined the Leavitt family fish farm for violations that had brought devastating whirling disease to Utah's wild fish stocks. He downplayed toxic releases reported by the mining industry, including releases of neurotoxin mercury by saying, "In reality, it is not pollution."

He supported the infamous Legacy Highway, an extremely controversial project that threatens wetlands along the Great Salt Lake. This was a project that was challenged by community activists and local government officials; and taken to court, the Legacy Highway project was rejected by the 10th Court of Appeals for the failure of the people planning this project to consider less environmentally harmful alternatives and for ignoring the impacts on Utah's wildlife and environment, a sad note on his watch.

It is no secret that there was a series of closed-door negotiations with Secretary Norton, after which Governor Leavitt signed a memorandum of understanding that opened up 10 million acres of Federal lands in Utah for possible development under the arcane RS 2477 road provision. He also brokered a back-room agreement with the Interior Department to prevent a new wilderness study area designation. This agreement opens 2.6 million acres of former wilderness study areas to oil and gas drilling, off-road vehicle use, and other development.

It is no accident, I suppose, that Utah has the least amount of designated wilderness out of 11 Western States, in part because of this Governor's dedication to preventing new wildlife proposals from being passed by Congress during his tenure. Utah is one of only a handful of States without any, without any wildlife and scenic river designations, again because the Leavitt administration worked to oppose Federal wild and scenic river reviews in southern Utah.

In objective, objective appraisal of Utah's environmental performance under the Governor's administration, looking at the EPA itself, this administration's recent EPA report on Clean Water Act enforcement from major sources, Utah tied for last place with two other States for performance in six key environmental indicators.

□ 2230

This from the EPA that he seeks to lead, published in February of 2003.

According to the 2001 EPA toxic release inventory, Utah has the second highest volume of toxic chemical releases in the Nation. And between 1995 and 2002, during the Leavitt administration, Utah power plants actually increased their emissions of nitrogen oxide, a pollutant linked to respiratory disease, while the rest of the country decreased such emissions substantially, on average over 21 percent during the same period.

Well, Mr. Speaker, in addition to defending and explaining his environmental record, positive and negative, there are other issues that the nominee should address as he appears before Congress and the American public. These are some of the issues that have caused Senators to place a hold on his nomination, people who are concerned about EPA statements about the pollution in New York City after 9/11; the New Source rules; the Clean Skies administration strategy. Indeed, what may be the major issue in these discussions will not be Governor Leavitt's record at all but that of this administration, its environmental record and the fundamental question about the independence of the EPA.

It is interesting to note that Russell Train, who was the EPA Administrator under Presidents Nixon and Ford, and I would state parenthetically that the EPA has a long and proud bipartisan history, being created under the administration of President Nixon, Russell Train, a Republican appointee, has said recently that the White House has constantly injected itself into the way the EPA approaches and decides the critical issues before it. The agency today has little or no independence. I think it is a very great mistake and one for which the American people could pay over the long run in compromised health and reduced quality of life.

The administrator designate, Governor Leavitt, and this administration need to be held accountable in terms of the initiatives on Superfund. Will the administrator and the administration push to reinstate the Superfund tax and help clean up sites? The GAO reported that the Superfund would run out of money next month. There are currently 1,200 sites in the annual \$3 billion Superfund program. It has cleaned up only 42 toxic waste sites last year, down more than 50 percent from the late 1990s.

The EPA announced this summer they would have to cut funding for 10

Superfund sites, including one close to home for me, but I have heard from Republican colleagues who have been concerned about loss of projects in their districts, citing lack of funding as a reason. Yet the administration refuses to come to Congress to have the Superfund tax, which is the very principle of "polluter pays" that was supported by Presidents Reagan, George H.W. Bush, and Clinton. Silence from the administration.

Mr. Speaker, where will the new EPA Administrator be when it comes to deal with the Clean Air Act? One of the holds that has been placed on the Leavitt nomination deals with the relaxation of the New Source Review rules, which inhibit the intent of the Clean Air Act. As you know, 30 years ago, when the Clean Air Act was enacted, there was a reprieve given to the dirtiest coal-fired plants, giving them a reasonable time to come into compliance. They did not all have to do it immediately, that would have been disruptive and expensive. The notion was that the new technology, under the New Source rule, was designed so that plants would modernize and then the new technology would be put into place when it was the most economical. Instead, what we have seen is an industry that has kept these aging powered dinosaurs in place because they make a lot of money. They are cash cows.

But rather than enforcing the Clean Air Act, as previous administrations have done to put pressure on the industry to deal with the modernization and upgrade of these plants, President Bush has now proposed that the old plants, in effect, be grandfathered permanently, being able to spew forth pollution indefinitely. The changes that he announced to the New Source Review rules would allow plants to make a 20 percent investment without triggering the rule. There is no reason for the vast majority of them to ever come into full compliance.

Now, there are approximately 17,000 of these plants, and the estimates from the scientific experts that we are supposed to listen to are that they caused conservatively 20,000 premature deaths each year. Because of the patterns of prevailing winds that blow the smoke from these plants, the pollution is not just in the vicinity of the plant. If they were just polluting their neighborhood, maybe it would be a sort of rough justice for the cities and States that permitted them. But the effects move away often because of the pattern of prevailing winds.

They are concentrated particularly in the New England States. It is interesting that Attorney Generals in New York, New Jersey, Pennsylvania, Wisconsin are lining up to challenge these rules in court. The changes were also opposed by the States of Massachusetts, Illinois, and California.

Earlier this month, the President was in Michigan for a photo-op for the power plant in Monroe to promote the Clear Skies Initiative, which it is esti-

mated may be responsible for up to 300 premature deaths itself. Now, the President attempted to paint this as a job creation issue, but local labor leaders were quick to point out that when the owner of the Monroe plant, Detroit Edison, found out that the New Source rules were going to be relaxed, they stopped their efforts to install pollution controls required by law. And I understand there are some 800 union workers who are out of work.

The administration and the new administrator should be straight with the American public about the economic, environmental, and national security consequences of continuing to rely on these aging, polluting plants. When we deal with issues like the Clean Skies Initiative, it is an important question for the administrator designate and for the administration: Who are they going to be taking advice from? For instance, there have been calls for the resignation of the Assistant EPA Administrator of Air and Radiation, Holmstead, the leader behind the Clean Air Act overhaul. The Clear Skies Initiative, which actually is going to move us back beyond what would happen if we just enforced the Clean Air Act now, and leave any progress well, well into the future.

The EPA has withheld scientific data from two different EPA studies that undercut the administration's claims about the benefit of the proposed legislation. It has dug its feet in completing the analysis of competing Clean Air Acts before Congress so that we do not have the information before us as a legislative body, and the American public does not have the benefit of this analysis. It took months of delay before the EPA finally agreed to study Senator CARPER's Clean Air bill, but will not include carbon dioxide reductions in the analysis. Carbon dioxide, a critical element in the Senator's bill, one of the key elements of global warming, is not going to be included.

The EPA overstated State and local support for the Clear Skies Initiative. In fact, many of the Governors and mayors cited as allies in an August press release have decided not to support it at all. The Southern Governors Association did not have a policy for or against the plan if they are included. The National Association of Counties has adopted a position that generally supported the reduction of emissions. No reference to this specific bill.

Assistant Secretary Holmstead, is an attorney for the former industry that he is now seeking to—supposed to—regulate. He represented several clients in fighting title I, III, and V of the Clean Air Act. Those clients include the Ad Hoc Industry Group on Regulatory Re-invention, Alliance for Constructive Air Policy, Hughes Communication, Montrose Chemical, and he is an adjunct scholar at a think tank, the Citizens for the Environment, that actually believes that many of these environmental problems are myths and lobbies for deregulation of corporations as

a solution to the environmental problems, something that has not had great effect as we have looked at the securities industry, at the deregulation of energy, and has in the State of Texas, the voluntary program of then Governor Bush, has yielded really pitiful results in terms of cleaning up the air.

There is a deep and troubling question that is circulating now about the representations of the EPA about the World Trade Center pollution. Will the EPA, under the new administrator, be an independent agency that can give the American public the truth? One week after September 11, Christie Whitman assured the citizens of New York that the air was safe to breathe, the waters safe to drink. Her statements focused on asbestos levels and did not mention any other pollutants. Well, an investigation by the EPA Office of Inspector General has revealed that the White House, through its Council on Environmental Quality, told the EPA to downplay these concerns. The facts are that the EPA did not have sufficient data to evaluate short-term or long-term health impacts, and they had only data on four of 14 pollutants. It will be one of, I think, the black marks of former Governor Whitman's administration to make statements like this to the citizens of New York.

A team of independent scientists, led by the University of California, Davis, found that in fact the air was the most polluted the world has experienced. The area had high levels of sulfur, sulfuric acid, titanium, nickel and silicon. The EPA had not tested for these small particles, even though EPA scientists acknowledge that they are the most hazardous. Tragically, tragically, the rescue workers, the people who on this floor were commemorated and celebrated, with whom this administration has been involved with photo-ops and issued flowery words, these rescue workers were the most likely to suffer from this pollution. Yet the EPA was involved in, to be charitable, shading the truth. And we do not know what the long-term consequences will be with a failure to level with the American public.

There is a question about whether the EPA in the remaining term of President Bush, under a new administrator, will be able to change the pattern of manipulating and ignoring science to serve political and their own policy ends. For instance, in June of this year, the EPA released a report that was commissioned by former EPA Administrator Whitman to examine the state of the environment.

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It noted improvements which were actually due to landmark legislation passed decades ago. If the EPA does a follow-up report in a decade, what will be the likely increases in air and water pollution, global warming and ozone depletion as a result of this administration's policies because it is claiming

credit for what happened 10, 20, and 30 years ago and under its watch is undermining and delaying?

The report ignored global warming, the single most important long-term threat to our environment. The White House forced the EPA to eliminate references to many studies concluding that warming is at least partially caused by human activity. There is a denial despite the 2001 National Academy of Science report that was requested by President Bush that confirmed that greenhouse gases are accumulating in our atmosphere as a result of human activities, and this is causing air and ocean temperatures to rise.

The edits made by the White House and acquiesced to by the former EPA Administrator were so severe that an internal EPA memo stated that the section on climate "no longer accurately represents scientific consensus on climate change, global warming."

Another example, last September the annual EPA report on air pollution that for 6 years had contained a section on climate change, this time when the scientific community has reached an even stronger consensus that global warming is a reality, when we have permafrost thawing in Alaska, roads buckling, villages washing away, parts of the Alaskan pipeline sagging and temperatures increasing 4, 6 and 8 degrees Fahrenheit, this report for the first time in 6 years had no section on global warming, climate change.

Mr. Speaker, Russell Trane, the Nixon-Ford EPA Administrator that I quoted earlier, stated that we have moved radically "away from regulation based on independent findings and professional analysis of scientific health and economic data by the responsible agency to regulation controlled by the White House and driven primarily by political considerations."

It has been one of the great frustrations and concerns during my tenure in Congress to watch the Environmental Protection Agency, an agency that I have worked with throughout my public service career, where I have worked with many fine, dedicated public servants, professionals, who are in that so-called faceless bureaucracy, but are really doing their best to deal with their mission of protecting the environment, and when I have worked with Republican and Democratic administrations going back over 20 years, it saddens me to see the politicization of the EPA, the reversal, the abrogation of responsibility to give the American public the truth about the environment, to say nothing of hard work to move forward with policies and programs to give our communities the type of environment that our families deserve.

I can only hope that the Senate in the course of its deliberations will be able to focus on this and that the new Administrator, should Governor Leavitt be confirmed, will be the Governor Leavitt that was so creative in dealing with livable communities,

sprawl, planned growth, transportation, and allowing the community to work to gain control over its destiny, and not be the Governor Leavitt of questionable environmental achievements dealing with air and water, open space, and certainly not an EPA that has been characterized by the reversals and the politicization of these last 2½ years.

Mr. Speaker, time will tell, but the American public deserves an answer sooner rather than later, and I will continue to do all I can to put appropriate focus on these critical issues.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASTOR (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

Mr. RUPPERSBERGER (at the request of Ms. PELOSI) for today on account of official business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today and September 24.

Mr. FEENEY, for 5 minutes, September 24.

Mr. NORWOOD, for 5 minutes, today, September 24, and September 30.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. HENSARLING, for 5 minutes, September 24.

Mr. JONES of North Carolina, for 5 minutes, today and September 24.

The following Member (at her own request) to revise and extend her remarks and include extraneous material:

Mrs. MALONEY, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 22, 2003, he presented to the President of the United States, for his approval, the following bills.

H.R. 13. To reauthorize the Museum and Library Services Act, and for other purposes.

H.R. 659. To amend section 242 of the National Housing Act regarding the requirements for mortgage insurance under such Act for hospitals.

H.R. 978. To amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percentage point relating to periods of receiving disability payments, and for other purposes.

ADJOURNMENT

Mr. BLUMENAUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 24, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4340. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General John M. Keane, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

4341. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Richard W. Mayo, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4342. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Pelham and Meigs, Georgia) [MB Docket No. 03-58; RM-10608] received September 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4343. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Laramie, Wyoming and Timnath, Colorado) [MB Docket No. 02-365; RM-10451] received September 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4344. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to United Kingdom for defense articles and services (Transmittal No. 03-36), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4345. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad with Denmark and The Netherlands (Transmittal No. DTC 093-03), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

4346. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equip-

ment abroad with Japan (Transmittal No. DDTC 094-03), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

4347. A letter from the Acting Director of Human Resources, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4348. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4349. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 021212306-2306-01; I.D. 090203A] received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4350. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Non-Community Development Quota Pollock with Trawl Gear in the Chinook Salmon Savings Areas of the Bering Sea and Aleutian Islands Management Area [Docket No. 021212307-3037-02; I.D. 080103C] received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4351. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 082203D] received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4352. A letter from the Deputy Director, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations [Docket No. 021107268-2268-01; I.D. 102402A] (RIN: 0648-AQ54) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4353. A letter from the Deputy Director, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Missile Launch Operations from San Nicolas Island, CA [Docket No. 030421095-3202-02; I.D. 111902C] (RIN: 0648-AQ61) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4354. A letter from the Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife; Sea Turtle Conservation Requirements [Docket No. 030725185-3207-02; I.D. 071403B] (RIN: 0648-AR34) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4355. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures; Corrections

[Docket No. 030828215-3215-01; I.D. 082103A] (RIN: 0648-AR47) received September 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4356. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 011120279-1311-02; I.D. 092401E] (RIN: 0648-AP68) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4357. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 001128334-0334-01; I.D. 111300E] (RIN: 0648-AN40) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4358. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 001128334-1313-06; I.D. 092101B] (RIN: 0648-AN88) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4359. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 020819200-2200-01; I.D. 021202A] (RIN: 0648-AP93) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4360. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02; I.D. 112602D] received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4361. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan [Docket No. 001128334-2292-10; I.D. 112702B] received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4362. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 00128334-1312-02; I.D. 091401B] (RIN: 0648-AN88) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4363. A letter from the Acting Division Chief, Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fishery; Regulatory Amendment

[Docket No. 030612150-3214-02; I.D. 051503B] (RIN: 0648-AQ94) received September 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4364. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Lake Washington Ship Canal, WA [CGD13-02-012] (RIN: 1625-AA09) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4365. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Mississippi River, Iowa and Illinois [CGD08-03-011] (RIN: 1625-AA09) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4366. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Handling of Class 1 (Explosive) Materials or Other Dangerous Cargoes within or Contiguous to Waterfront Facilities [USCG-1998-4302] (RIN: 1625-AA07 (Formerly RIN: 2115-AE22)) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4367. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security and Safety Zone; Protection of Large Passenger Vessels, Portland, OR [CGD13-03-022] (RIN: 1625-AA00) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4368. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Maryville, MO [Docket No. FAA-2003-15720; Airspace Docket No. 03-ACE-62] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4369. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Centerville, IA [Docket No. FAA-2003-15724; Airspace Docket No. 03-ACE-66] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4370. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Montgomery, AL [Docket No. FAA-2003-15409; Airspace Docket No. 03-ASO-8] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4371. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Aurora, MO [Docket No. FAA-2003-15460; Airspace Docket No. 03-ACE-58] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4372. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Cambridge, NE [Docket No. FAA-2003-15257; Airspace Docket No. 03-ACE-50] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4373. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Modification of Class E Airspace; Sullivan, MO [Docket No. FAA-2003-15721; Airspace Docket No. 03-ACE-63] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4374. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Meade, KS [Docket No. FAA-2003-15723; Airspace Docket No. 03-ACE-65] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4375. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wayne, NE [Docket No. FAA-2003-15718; Airspace Docket No. 03-ACE-60] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4376. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lee's Summit, MO [Docket No. FAA-2003-15722; Airspace Docket No. 03-ACE-64] received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4377. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. MU-2B Series Airplanes [Docket No. 97-CE-27-AD; Amendment 39-13278; AD 2003-17-04] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4378. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747SP, and 747SR Series Airplanes [Docket No. 2001-NM-178-AD; Amendment 39-13280; AD 2003-17-06] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4379. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes Manufactured by McDonnell Douglas [Docket No. 2001-NM-77-AD; Amendment 39-13281; AD 2003-17-07] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4380. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Model 45 Airplanes [Docket No. 2002-NM-13-AD; Amendment 39-13283; AD 2003-17-08] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4381. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Model Duo-Discus Gliders [Docket No. 2003-CE-33-AD; Amendment 39-13282; AD 2003-16-51] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4382. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule —

Airworthiness Directives; EXTRA Flugzeugbau GmbH Models EA-300/200, EA-300L, and EA-300S Airplanes [Docket No. 2003-CE-14-AD; Amendment 39-13275; AD 2003-17-02] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4383. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turboprop Engines; Correction [Docket No. 2001-NE-34-AD; Amendment 39-13257; AD 2003-16-04] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4384. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. 2001-NM-325-AD; Amendment 39-13274; AD 2003-17-01] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4385. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 800 Series Turbofan Engines [Docket No. 2003-NE-08-AD; Amendment 39-13271; AD 2003-16-18] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4386. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2001-NM-228-AD; Amendment 39-13265; AD 2003-16-12] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4387. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R (Collectively Called A300-600) Series Airplanes, and Airbus Model A310 Series Airplanes [Docket No. 2001-NM-314-AD; Amendment 39-13268; AD 2003-16-15] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4388. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped with Pratt & Whitney JT9D-3 or JT9D-7 Series Engines (except JT9D-70 Series Engines) [Docket No. 2002-NM-27-AD; Amendment 39-13267; AD 2003-16-14] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4389. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. 2001-NM-328-AD; Amendment 39-13266; AD 2003-16-13] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4390. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Luftfahrt GMBH Models 228-100, 228-101, 228-200, 228-201,

228-202, and 228-212 Airplanes [Docket No. 2003-CE-20-AD; Amendment 39-13270; AD 2003-16-17] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4391. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. 2001-NM-322-AD; Amendment 39-13221; AD 2003-14-02 R1] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4392. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -200PF Series Airplanes Equipped with Pratt and Whitney PW2000 Series Engines [Docket No. 2001-NM-341-AD; Amendment 39-13247; AD 94-01-10 R1] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4393. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada PW206A and PW206E Turbo shaft Engines [Docket No. 2003-NE-25-AD; Amendment 39-13263; AD 2003-16-10] (RIN: 2120-AA64) received September 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4394. A letter from the United States Trade Representative, Executive Office of the President, transmitting a report on the pending accession to the World Trade Organization of the Kingdom of Nepal; to the Committee on Ways and Means.

4395. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2005 to OMB, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee of Conference. Conference report on H.R. 2555. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-280). Ordered to be printed.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 374. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-281). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 375. Resolution providing for consideration of the bill (H.R. 2557) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. 108-282). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LANTOS (for himself, Mr. SANDERS, Ms. NORTON, Mr. FRANK of Massachusetts, Mr. DELAHUNT, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Ms. WOOLSEY, Mr. HINCHAY, Mr. OLIVER, Ms. KAPTUR, Mr. OWENS, Mr. MCNULTY, Mr. PAYNE, Mr. FALEOMAVAEGA, Mr. CLAY, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mrs. MALONEY, Mr. TIERNEY, Ms. DELAURO, Mr. MATSUI, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mr. OBERSTAR, Mr. FROST, Mr. RUSH, Ms. CORRINE BROWN of Florida, Mr. SHERMAN, Mr. NEAL of Massachusetts, Mr. BERMAN, and Ms. WATERS):

H.R. 3139. A bill to amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BURR (for himself, Mr. TOWNS, Mr. TAUZIN, Mr. DINGELL, Mr. WAXMAN, Mr. STARK, Ms. SCHAKOWSKY, Mr. MATHESON, Mr. ROGERS of Michigan, Mr. BISHOP of Utah, Mr. SENSENBRENNER, and Mr. GIBBONS):

H.R. 3140. A bill to provide for availability of contact lens prescriptions to patients, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BISHOP of Georgia:

H.R. 3141. A bill to direct the Secretary of the Army to release to Clay County, Georgia, a reversionary interest of the United States requiring the non-profit operation of certain land as a retirement community, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CANNON (for himself and Mr. BERMAN):

H.R. 3142. A bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H-2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Ms. SCHAKOWSKY):

H.R. 3143. A bill to enhance Federal Trade Commission enforcement against cross-border fraud and deception; to the Committee on Energy and Commerce.

By Mr. STEARNS (for himself, Mr. STUPAK, and Ms. SCHAKOWSKY):

H.R. 3144. A bill to amend title 36, United States Code, to amend the Federal charter of the United States Olympic Committee; to the Committee on the Judiciary.

By Mr. HYDE (for himself and Mr. LANTOS):

H.R. 3145. A bill to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes; to the Committee on International Relations.

By Mr. THOMAS:

H.R. 3146. A bill to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANNON (for himself, Mr. BISHOP of Utah, and Mr. MATHESON):

H.R. 3147. A bill to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Illinois (for himself, Mr. HASTERT, Mr. LAHOOD, and Mr. LIPINSKI):

H.R. 3148. A bill to award a congressional gold medal to Monsignor Ignatius McDermott in recognition of his contribution to the drug treatment community, and his accomplishments as a priest and humanitarian; to the Committee on Financial Services.

By Mr. JANKLOW:

H.R. 3149. A bill to ensure that members of the Armed Forces serving in a combat zone designated for Operation Iraqi Freedom or Operation Enduring Freedom do not experience a reduction in the total monthly rate of combat zone-related special pay and allowances after September 30, 2003; to the Committee on Armed Services.

By Mr. LANTOS:

H.R. 3150. A bill to amend the Internal Revenue Code of 1986 to provide funds for the security and stabilization of Iraq by suspending a portion of the reductions in the highest income tax rate for individual taxpayers; to the Committee on Ways and Means.

By Mr. OWENS (for himself, Mr. CUMMINGS, Mr. TOWNS, Mr. RUSH, Mr. FATTAH, Mr. DAVIS of Illinois, Ms. NORTON, Ms. KILPATRICK, Mrs. JONES of Ohio, Mr. WYNN, Mr. PAYNE, and Mr. MEEKS of New York):

H.R. 3151. A bill to amend part B of title III of the Higher Education Act of 1965 to expand the eligibility requirement to include Predominantly Black Institutions of higher education; to the Committee on Education and the Workforce.

By Mr. PAYNE (for himself, Mr. KILDEE, Mr. DAVIS of Illinois, Mr. OWENS, Mrs. CHRISTENSEN, Mr. FILNER, Mr. GRIJALVA, and Mr. ANDREWS):

H.R. 3152. A bill to enhance the global competitiveness of the United States by increasing the participation of African Americans, Hispanic Americans, American Indians, and other underrepresented minorities in the international service, including private international voluntary organizations, the foreign commercial service, and the foreign service of the United States; to the Committee on Education and the Workforce.

By Mr. SABO:

H.R. 3153. A bill to amend the National Voter Registration Act of 1993 to require States to permit individuals to register to vote in an election for Federal office on the date of the election; to the Committee on House Administration.

By Mr. SHAW:

H.R. 3154. A bill to promote programs for the beneficial use of sand; to the Committee on Transportation and Infrastructure.

By Mr. STARK (for himself, Mr. EMANUEL, and Mr. GRIJALVA):

H.R. 3155. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs that fail to provide certain information or to present information in a balanced manner, and to amend the Federal Food, Drug, and Cosmetic Act to require reports regarding such advertisements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU (for himself and Mr. DEFAZIO):

H.R. 3156. A bill to amend the Temporary Extended Unemployment Compensation Act

of 2002 to provide for additional weeks of benefits thereunder; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. ACEVEDO-VILA, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mr. BLUMENAUER, Mr. FROST, Mr. GONZALEZ, Mr. GRIJALVA, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. LIPINSKI, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. OWENS, Mr. PASTOR, Mr. PAYNE, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Ms. SOLIS, Mr. TOWNS, Ms. VELAZQUEZ, and Ms. WATERS):

H. Con. Res. 287. Concurrent resolution recognizing and honoring the life of the late Raul Julia, his dedication to ending world hunger, and his great contributions to the Latino community and the performing arts; to the Committee on Government Reform.

By Mr. MOORE (for himself, Mr. FROST, and Ms. CARSON of Indiana):

H. Res. 376. A resolution expressing the sense of the House of Representatives with respect to the Bloch Cancer Foundation; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. REHBERG.
H.R. 33: Mr. HINOJOSA.
H.R. 58: Mr. DEAL of Georgia and Mr. DEUTSCH.
H.R. 167: Mr. WELDON of Florida.
H.R. 195: Mrs. MUSGRAVE and Mr. FRANKS of Arizona.
H.R. 236: Mr. TURNER of Texas.
H.R. 284: Mr. OLVER, Mr. LANGEVIN, Mr. REYES, and Mr. ORTIZ.
H.R. 328: Mrs. DAVIS of California.
H.R. 333: Mr. KENNEDY of Rhode Island.
H.R. 339: Mr. BILIRAKIS and Mr. SULLIVAN.
H.R. 428: Mr. WELDON of Pennsylvania.
H.R. 525: Mr. MCINTYRE, Mr. UDALL of New Mexico, Mr. KING of New York, Mr. THOMPSON of Mississippi, Ms. DELAULO, Mr. LEVIN, Ms. CORRINE BROWN of Florida, Mr. MEEKS of New York, Mr. CONYERS, Mr. WYNN, Mr. KIND, Mr. THOMPSON of California, Mr. KILDEE, Mr. MARIO DIAZ-BALART of Florida, Ms. HARRIS, Mr. CRAMER, Mr. BILIRAKIS, Mr. PETERSON of Minnesota, Mr. PORTMAN, Mr. LUCAS of Kentucky, Mr. GUTIERREZ, Mr. RENZI, and Mr. WELDON of Florida.
H.R. 574: Mr. LAMPSON.
H.R. 594: Ms. HARRIS.
H.R. 645: Mr. PAUL.
H.R. 713: Mr. FRANK of Massachusetts.
H.R. 785: Mr. MORAN of Virginia and Mr. SULLIVAN.
H.R. 807: Ms. HOOLEY of Oregon.
H.R. 833: Ms. HART and Mr. BEAUPREZ.
H.R. 857: Mr. CAPUANO.
H.R. 870: Mr. RYUN of Kansas.
H.R. 873: Mr. BELL.
H.R. 880: Ms. DELAULO and Ms. SHAKOWSKY.
H.R. 896: Mr. MCINTYRE.
H.R. 920: Mr. ROSS and Mr. GRIJALVA.
H.R. 935: Mr. LEVIN.
H.R. 996: Mr. MOORE.
H.R. 1210: Ms. ROYBAL-ALLARD.
H.R. 1244: Mrs. CAPPS.
H.R. 1322: Mr. DELAHUNT, Mr. CRAMER, Mr. PETERSON of Minnesota, Ms. MILLENDER-MCDONALD, Mr. PASCRELL, Mr. WEXLER, Mr. BOUCHER, Mr. MCGOVERN, and Mr. CAPUANO.
H.R. 1359: Ms. MCCARTHY of Missouri.

H.R. 1372: Mr. PRICE of North Carolina.
H.R. 1385: Mr. BRADLEY of New Hampshire, Mr. DEUTSCH, Mr. GUTIERREZ, and Mr. HINOJOSA.
H.R. 1421: Mr. MCDERMOTT.
H.R. 1480: Ms. DELAULO.
H.R. 1546: Mr. BARTLETT of Maryland.
H.R. 1552: Mr. SHAW, Mr. FEENEY, and Ms. HOOLEY of Oregon.
H.R. 1563: Mr. CASE and Mr. BLUMENAUER.
H.R. 1622: Mr. KIRK, Mr. CUNNINGHAM, and Ms. SOLIS.
H.R. 1633: Mr. FALEOMAVAEGA and Mr. GUTIERREZ.
H.R. 1653: Mr. CUNNINGHAM.
H.R. 1708: Mr. OLVER.
H.R. 1731: Mr. BARTON of Texas.
H.R. 1742: Mr. BECERRA.
H.R. 1752: Mr. GRIJALVA and Mr. EMANUEL.
H.R. 1763: Mr. COOPER.
H.R. 1769: Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. RAHALL, and Mr. HILL.
H.R. 1819: Mr. WELLER.
H.R. 1929: Mrs. JONES of Ohio.
H.R. 1930: Mr. DAVIS of Illinois.
H.R. 1943: Mr. WOLF, Mr. TANCREDI, Mr. SHERWOOD, and Mr. LATOURETTE.
H.R. 1958: Mr. TOWNS and Mr. ABERCROMBIE.
H.R. 1961: Ms. JACKSON-LEE of Texas and Mr. McNULTY.
H.R. 2020: Mr. HASTINGS of Florida.
H.R. 2034: Mr. MCINNIS, Mr. NETHERCUTT, Mr. HENSARLING, Mr. VITTER, and Mrs. MUSGRAVE.
H.R. 2047: Mrs. JOHNSON of Connecticut and Mr. BRADY of Texas.
H.R. 2118: Mr. SHERMAN and Mr. LAMPSON.
H.R. 2133: Mr. BARTON of Texas and Mr. ABERCROMBIE.
H.R. 2221: Mr. ROGERS of Michigan, Mr. BARTON of Texas, and Mrs. BONO.
H.R. 2241: Mr. GUTIERREZ.
H.R. 2265: Mr. BERRY.
H.R. 2442: Mr. KILDEE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. GILCHREST, Mr. PRICE of North Carolina, Mr. DOYLE, Mr. MARKEY, Mr. KUCINICH, Mr. NADLER, Mr. HINCHEY, Mrs. TAUSCHER, Mr. BROWN of Ohio, Mr. ANDREWS, Mr. ALLEN, Mr. GREEN of Texas, Mr. TIERNEY, Mr. CROWLEY, Mr. KING of New York, Mr. LYNCH, Mr. INSLEE, Ms. WATSON, Ms. KAPTUR, Mrs. MCCARTHY of New York, Mr. TERRY, Mr. WELDON of Pennsylvania, and Mrs. NAPOLITANO.
H.R. 2456: Mrs. MALONEY.
H.R. 2511: Mr. PAYNE.
H.R. 2512: Ms. GRANGER.
H.R. 2519: Mr. SMITH of Washington.
H.R. 2527: Ms. MCCOLLUM.
H.R. 2538: Mr. DAVIS of Florida.
H.R. 2568: Mr. SPRATT and Mr. CAPUANO.
H.R. 2569: Mr. BRADY of Pennsylvania and Mr. DAVIS of Florida.
H.R. 2619: Mr. ABERCROMBIE.
H.R. 2626: Mr. MCHUGH.
H.R. 2665: Mr. BERMAN.
H.R. 2677: Mr. ISRAEL.
H.R. 2699: Mr. ROGERS of Michigan and Mr. OSBORNE.
H.R. 2700: Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Mr. CALVERT, Mr. PALLONE, and Mr. DREIER.
H.R. 2719: Mr. TOM DAVIS of Virginia, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. PAUL, Ms. HART, Mr. MCHUGH, and Mr. FRANK of Massachusetts.
H.R. 2727: Mr. DINGELL.
H.R. 2733: Mr. OTTER, Mr. BERRY, and Mr. THOMPSON of Mississippi.
H.R. 2787: Mr. GRIJALVA.
H.R. 2806: Mr. MILLER of Florida.
H.R. 2808: Mr. MENENDEZ and Mr. MILLER of Florida.
H.R. 2813: Mr. VITTER.
H.R. 2849: Mr. SHAYS and Mr. KNOLLENBERG.
H.R. 2883: Mrs. NAPOLITANO, Mr. EMANUEL, Mr. MCCOTTER, and Mr. WEXLER.
H.R. 2891: Mr. FALEOMAVAEGA.
H.R. 2897: Mrs. JONES of Ohio.
H.R. 2898: Mr. DAVIS of Florida and Mr. STRICKLAND.
H.R. 2899: Mr. PUTNAM.
H.R. 2908: Ms. JACKSON-LEE of Texas and Mr. LARSON of Connecticut.
H.R. 2913: Mr. KIND.
H.R. 2932: Mr. FRANK of Massachusetts and Mr. EMANUEL.
H.R. 2944: Mr. GOODE and Mr. CALVERT.
H.R. 2949: Mrs. MALONEY.
H.R. 2963: Mr. LIPINSKI, Mr. WELDON of Pennsylvania, and Mr. RENZI.
H.R. 2968: Mr. MURPHY, Mr. MCINNIS, Mr. ENGLISH, and Mr. MICHAUD.
H.R. 2983: Mr. EVANS, Mr. TOWNS, Mr. HONDA, Mr. GRIJALVA, and Ms. NORTON.
H.R. 2999: Mr. GUTKNECHT, Mr. BARRETT of South Carolina, Mr. PAUL, Mr. SHIMKUS, Mr. WALSH, Mr. PITTS, and Mr. ISTOOK.
H.R. 3011: Mr. HUNTER, Mr. CUNNINGHAM, Mr. THOMPSON of California, Ms. WOOLSEY, Mr. FALEOMAVAEGA, Mr. STARK, Ms. PELOSI, and Mr. HERGER.
H.R. 3014: Mr. FROST.
H.R. 3023: Mr. STRICKLAND.
H.R. 3026: Mr. FROST.
H.R. 3049: Mr. CASE.
H.R. 3066: Mr. TERRY, Mr. LATOURETTE, Mr. SENSENBRENNER, and Mr. WILSON of South Carolina.
H.R. 3097: Mr. FOLEY and Mr. DUNCAN.
H.R. 3106: Mr. SOUDER and Mr. HUNTER.
H.R. 3125: Mr. TANCREDI.
H.R. 3126: Mr. BISHOP of Utah, Mr. HAYWORTH, Mr. COLE, Mr. SESSIONS, Mr. GARRETT of New Jersey, and Mrs. MUSGRAVE.
H.R. 3134: Mr. ISAKSON and Mr. GERLACH.
H.R. 3137: Mr. NADLER and Mr. ISRAEL.
H.J. Res. 52: Mr. LINDER.
H.J. Res. 62: Mr. BRADY of Pennsylvania.
H.J. Res. 67: Mr. SHERMAN.
H. Con. Res. 87: Ms. LINDA T. SANCHEZ of California.
H. Con. Res. 206: Mr. BARTON of Texas.
H. Con. Res. 247: Mr. REYNOLDS, Mr. ISAKSON, and Mr. SIMMONS.
H. Con. Res. 275: Mr. CROWLEY.
H. Con. Res. 280: Mrs. CAPITO and Mr. BOEHRLERT.
H. Res. 45: Mr. HOSTETTLER.
H. Res. 103: Mr. GERLACH and Mr. OBERSTAR.
H. Res. 140: Mr. MATSUI.
H. Res. 157: Mr. SNYDER and Mr. VAN HOLLEN.
H. Res. 167: Ms. BORDALLO.
H. Res. 261: Mr. FILNER, Mr. PAYNE, and Mr. TURNER of Texas.
H. Res. 304: Mr. EMANUEL and Mr. BURTON of Indiana.
H. Res. 320: Ms. LINDA T. SANCHEZ of California.
H. Res. 344: Ms. ROS-LEHTINEN and Mr. ISRAEL.
H. Res. 362: Mr. FARR, Mr. FOLEY, Mr. CUNNINGHAM, Mr. TANNER, Mr. MILLER of Florida, Mr. SOUDER, Mrs. CUBIN, and Mr. HOEFFEL.
H. Res. 363: Mr. GEORGE MILLER of California.
H. Res. 364: Mr. STARK, Ms. BERKLEY, Mr. EVANS, Mr. UDALL of New Mexico, Mr. HINCHEY, Mr. OWENS, Mrs. JONES of Ohio, Mr. FRANK of Massachusetts, Mr. KLECZKA, Mr. CUMMINGS, Mr. FROST, Ms. DELAULO, Mrs. NAPOLITANO, and Ms. MCCOLLUM.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2557

OFFERED BY: Mr. KING of IOWA

AMENDMENT No. 1: Page 107, after line 18, insert the following (and redesignate subsequent sections, and conform the table of contents of the bill, accordingly):

SEC. ____ . MISSOURI RIVER MAINSTEM AND TRIBUTARIES ENHANCEMENT PROJECT.

Section 514 of the Water Resources Development Act of 1999 (113 Stat. 342) is amended to read as follows:

“SEC. 514. MISSOURI RIVER MAINSTEM AND TRIBUTARIES ENHANCEMENT PROJECT.

“(a) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Interior, and the Governors of the States of Montana, North Dakota, South Dakota, Nebraska, Iowa, Kansas, Colorado, Wyoming, and Missouri, and federally recognized Missouri River basin Native American Tribes, may undertake, as identified in a comprehensive plan, ecosystem restoration projects necessary to protect, restore, recover, and monitor fish and wildlife habitat along the mainstem and floodplain of the Missouri River from Three Forks, Montana, to the confluence of the Missouri and Mississippi Rivers at St. Louis, Missouri, and the following tributaries of the Missouri River: Yellowstone River; Platte River; and the Kansas River.

“(b) **COMPREHENSIVE PLAN.**—

“(1) **DEVELOPMENT.**—

“(A) **PURPOSE.**—The Secretary shall develop a comprehensive plan for the areas identified in subsection (a) for the purpose of protecting, monitoring, restoring, and recovering fish and wildlife habitat.

“(B) **REQUIRED ISSUES.**—The Plan shall include—

“(i) modification and improvement of navigation training structures to protect and enhance fish and wildlife habitat;

“(ii) modification and creation of side channels to protect and enhance fish and wildlife habitat;

“(iii) restoration and creation of island fish and wildlife habitat;

“(iv) creation of riverine and terrestrial habitat for fish and wildlife;

“(v) establishment of criteria for prioritizing the type and sequencing of activities based on the likelihood of ecological success;

“(vi) support for facilities for the propagation of the pallid sturgeon; and

“(vii) physical and biological monitoring for evaluating the success of the plan.

“(c) **AUTHORIZED ACTIVITIES.**—In carrying out projects identified in the plan under subsection (b), the Secretary shall ensure that

activities do not adversely affect the other water-related needs of the region surrounding the Missouri River and select tributaries, including flood control, navigation, recreation, and enhancement of water supply.

“(d) **NATIONAL TECHNICAL REVIEW COMMITTEE.**—

“(1) **IN GENERAL.**—In carrying out this section, the Secretary, through the Engineering Research and Development Center, shall establish a National Technical Review Committee (referred to in this subsection as ‘NTRC’). The NTRC shall provide technical expertise to the Secretary on an on-going basis during the development of the plan under subsection (b) and during implementation of projects carried out pursuant to such plan.

“(2) **APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.**—The NTRC shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

“(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$300,000 for each of fiscal years 2004 through 2009.

“(e) **MISSOURI RIVER RECOVERY TASK FORCE.**—

“(1) **ESTABLISHMENT OF INTER-AGENCY TASK FORCE.**—The Secretary shall establish an Inter-Agency Task Force on the Missouri River and Tributaries Enhancement Project (referred to in this subsection as the ‘Task Force’). The Task Force shall consist of the following members at the level of assistant secretary or an equivalent level:

“(A) The Secretary, who shall serve as chairperson.

“(B) The Secretary of Interior.

“(C) The Secretary of Commerce.

“(D) The Secretary of Energy.

“(E) The Secretary of Transportation.

“(F) The Secretary of Agriculture.

“(G) The Administrator of the Environmental Protection Agency.

“(2) **DUTIES OF TASK FORCE.**—The Task Force—

“(A) shall consult with and provide recommendations to the Secretary during the development of the plan under subsection (b);

“(B) shall assist the Secretary in coordinating with interested stakeholders during

the development of the plan under subsection (b).

“(C) shall make recommendations to the Secretary on implementation of projects and activities in the plan.

“(D) shall establish a regional working group which shall include representatives of the agencies represented on the Task Force as well as Federally recognized Missouri River basin Native American Tribes, other governmental entities, and non-governmental entities as appropriate for the purpose of formulating, recommending, coordinating, and implementing policies, strategies, plans, programs, projects, activities, and priorities of the Task Force.

“(3) **APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.**—The Task Force shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

“(4) **COMPENSATION.**—No member of the Task Force shall receive compensation for the service of the member on the Task Force.

“(5) **TRAVEL EXPENSES.**—Travel expenses incurred by a member of the Task Force in the performance of services for the Task Force shall be paid by the agency that the member represents.

“(f) **PUBLIC PARTICIPATION.**—In carrying out the development of the plan under subsection (b), the Secretary shall provide for public review and comment in accordance with applicable Federal law, including—

“(1) providing advance notice of meetings;

“(2) providing adequate opportunity for public input and comment;

“(3) maintaining appropriate records; and,

“(4) compiling a record of the proceedings of meetings.

“(g) **COMPLIANCE WITH APPLICABLE LAW.**—In carrying out the plan under subsection (b) and any subsequent projects, the Secretary shall comply with any applicable Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), there is authorized to be appropriated to pay the cost of carrying out activities under subsections (b) and (c) \$42,000,000 for each of fiscal years 2004 through 2009.